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TRI-CITIES (SALT RIVER) LANDFILL UPDATE
DECEMBER 15, 1992

ISSUE: Stabilization of the Tri-Cities Landfill

BACKGROUND:

Salt River Pima-Maricopa Indian Community owns and operates a commercial solid waste landfill known as the Tri-Cities landfill. The landfill accepts waste from the Cities of Mesa and Scottsdale, but no longer from the City of Tempe.

Last January, increased flows in the Salt River caused debris, believed to have come from the landfill, to be released into the river. This past winter the Army Corps of Engineers (COE) and the Tribe stabilized (emergency corrective action) the banks in an effort to protect the landfill from future flood events.

In May, the COE (lead Agency) determined that the landfill had intruded into waters of the US (404 Clean Water Act (CWA) Violation) by placing fill into two distinct areas. The combined area of impact has been estimated as 3.3 acres (1.1 acres on the north side of the river and 2.2 on the south side).

Last Spring, the COE and the Tribe reached agreement on specific actions needed to address these violations. These actions included the completion of final design work intended to protect the landfill including: rerouting the river; protecting the landfill(s) from predicted floods (100 year); bank protection and/or other appropriate remedial actions. This plan was to have been completed 8/30/92.

JOHN -

ADDITIONAL INFORMATION WILL BE

SENT AFTER MY MEETING W/
VIRGINIA D @ 2:30 (PST)

JIM 1/6
445/344-2096



Environmental Fact Sheet

Municipal Landfill Regulations Mean Safer Disposal of Solid Waste

This rule is an important step in improving the safety of municipal landfills. It establishes comprehensive, protective standards for managing the nation's solid waste burden by specifying location provisions and design, operating, and closure requirements for municipal landfills.

By improving the safety of nearly 6,000 municipal solid waste landfills, these regulations will help to bolster public confidence in landfills as a component of a workable integrated waste management system. In addition, the rule is an incentive for increasing source reduction and recycling nationwide.

Action

This rule establishes requirements for municipal solid waste landfills. It covers location restrictions, facility design and operations, ground-water monitoring, corrective action measures, and conditions for closing (including financial responsibility).

In general, the regulations apply to all municipal landfills that receive waste 24 months after the rule is published in the *U.S. Federal Register*. If a landfill stops taking waste before the regulations are published, the requirements do not apply. If it stops taking waste after publication, but before the effective date, the facility has to comply with the rule's final cover requirements.

Landfill owners/operators must comply with the majority of the requirements 24 months following publication in the *Federal Register*. However, the ground-water monitoring and corrective action requirements are phased-in, allowing up to five years for compliance. Landfill owners/operators must have financial mechanisms covering closing costs and cleanups 30 months after publication in the *Federal Register*.

Management standards for municipal landfills cover six categories.

Location Restrictions

Municipal landfills cannot be located close to airports. Siting in ecologically valuable wetlands or areas subject to natural

disasters (floodplains, fault areas, seismic zones, and unstable terrane) is restricted.

Operating Requirements

Landfills must: (1) keep out regulated hazardous waste; (2) apply a daily cover; (3) control disease vector populations (rodents, flies, mosquitoes, etc.); (4) monitor methane gas; (5) restrict public access; (6) control storm water run-off; (7) protect surface water from pollutants; and (8) keep appropriate records.

Design Standards

In states with EPA-approved permitting programs, landfills must be designed to ensure drinking water standards are not exceeded in ground water. In states without EPA-approved programs, landfills must be designed with a composite liner made of synthetic material covering a two-foot clay liner.

Ground-water Monitoring and Corrective Action

All landfills must have monitoring wells to detect any ground-water contamination. If ground-water is contaminated, the owner/operator is required to clean it up to acceptable standards to protect human health and the environment.

Closure and Post-Closure Care

When a landfill stops accepting waste, it must be covered to keep any liquid away from the buried waste. Once the landfill is closed, the owner/operator is responsible for maintaining the final cover, monitoring ground water and methane gas, and continuing leachate management for 30 years.

Financial Assurance

Landfill owners/operators must show that they have financial mechanisms to cover the costs of closure, post-closure care, and any needed cleanups from releases. Financial mechanisms can include surety bonds, letters of credit, insurance, or guarantees, among others.

Since small communities operate about 50 percent of the landfills potentially affected by this rule, EPA carefully considered their concerns. In this rule, small landfills serve communities that dispose of less than 20 tons of municipal solid waste per day. Certain small landfills are exempt from the design, ground-water monitoring, and corrective action requirements. To qualify for an exemption, a small landfill must not be causing ground-water contamination, and must be located in either a very dry climate or a very remote location.

Implementation

The national solid waste management program creates a framework for federal, state, and local government cooperation in controlling the management of municipal solid waste. While this rule establishes minimum standards for protecting human health and the environment, implementation of solid waste programs remain largely state responsibilities.

Since implementation is primarily a state function, states will need to incorporate these standards into their permitting programs to ensure that landfills are being operated properly. EPA will evaluate each state's program to determine its adequacy for safely managing municipal solid waste. States that apply for, and receive, EPA's approval of their program, are provided extensive flexibility in implementing the regulations. The Agency has the authority to enforce the regulations in those states that EPA determines do not have adequate permitting programs.

Contact

For additional information or to order a copy of the *Federal Register* notice, contact the RCRA Hotline, Monday-Friday, 8:30 a.m. to 7:30 p.m. EST. The national, toll-free number is (800) 424-9346; TDD (800) 553-7672 (hearing impaired); in Washington, D.C., the number is (703) 920-9810, TDD (703) 486-3323.

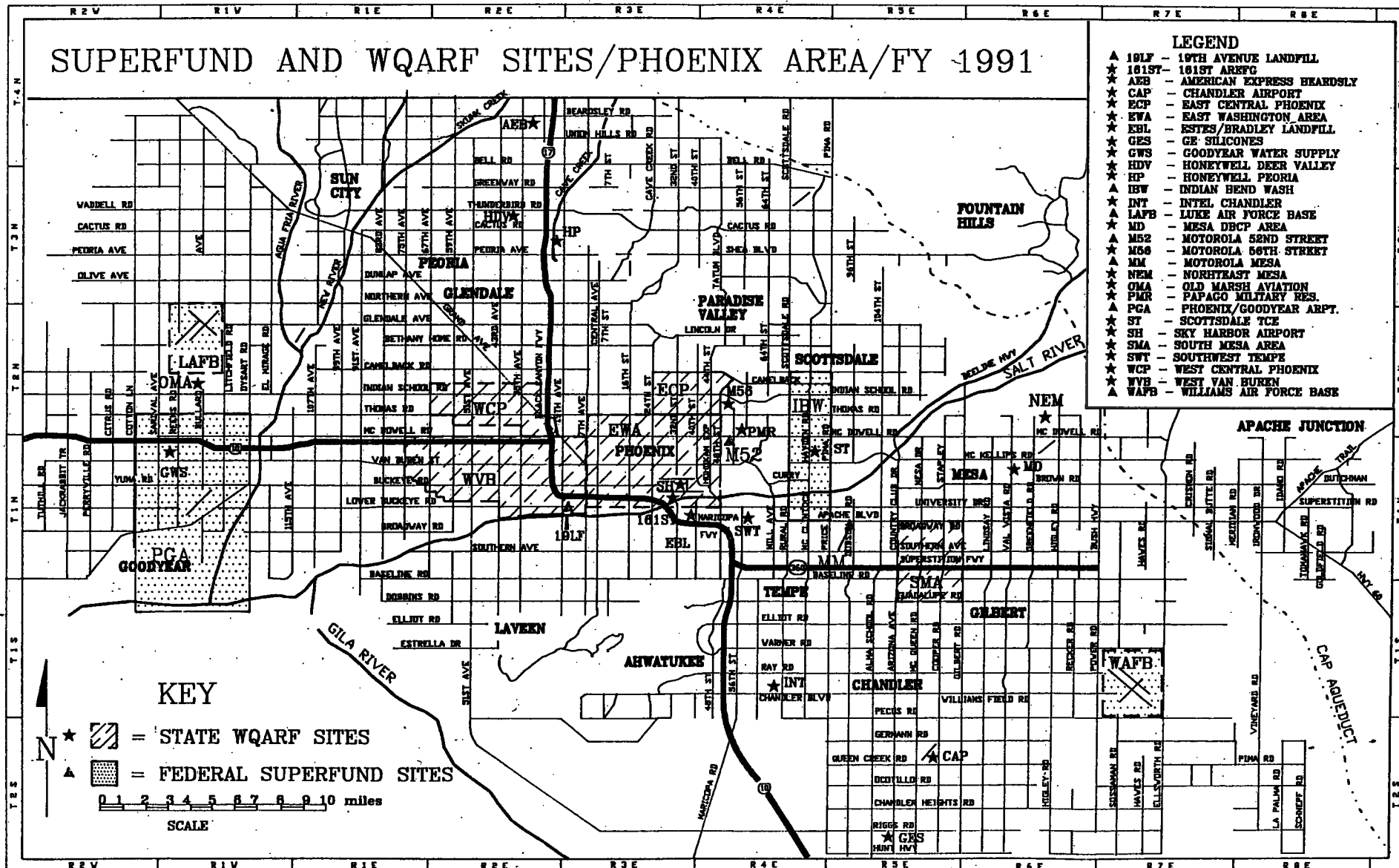
Copies of documents applicable to this rulemaking may be obtained by writing: RCRA Information Center (RIC), U.S. Environmental Protection Agency, Office of Solid Waste (OS-305), 401 M Street SW, Washington, D.C. 20460.

SUPERFUND AND WQARF SITES/PHOENIX AREA/FY 1991

- LEGEND**
- ▲ 191F - 19TH AVENUE LANDFILL
 - ★ 161ST - 161ST AREFC
 - ★ AEB - AMERICAN EXPRESS HEADQUARTERS
 - ★ CAP - CHANDLER AIRPORT
 - ★ ECP - EAST CENTRAL PHOENIX
 - ★ EWA - EAST WASHINGTON AREA
 - ★ EBL - ESTES/BRADLEY LANDFILL
 - ★ GES - GE SILICONES
 - ★ GWS - GOODYEAR WATER SUPPLY
 - ★ HDV - HONEYWELL DEER VALLEY
 - ★ HP - HONEYWELL PEORIA
 - ★ IBW - INDIAN BEND WASH
 - ★ INT - INTEL CHANDLER
 - ★ LAFB - LUKE AIR FORCE BASE
 - ★ MD - MESA DBCP AREA
 - ★ M52 - MOTOROLA 52ND STREET
 - ★ M56 - MOTOROLA 56TH STREET
 - ★ MM - MOTOROLA MESA
 - ★ NEM - NORTHWEST MESA
 - ★ OMA - OLD MARSH AVIATION
 - ★ PMR - PAPAGO MILITARY RES.
 - ★ PGA - PHOENIX/GOODYEAR ARPT.
 - ★ ST - SCOTTSDALE TCE
 - ★ SH - SKY HARBOR AIRPORT
 - ★ SMA - SOUTH MESA AREA
 - ★ SWT - SOUTHWEST TEMPE
 - ★ WCP - WEST CENTRAL PHOENIX
 - ★ WVB - WEST VAN HUSEN
 - ★ WAFB - WILLIAMS AIR FORCE BASE

KEY

- ★ [Hatched Box] = STATE WQARF SITES
 - ▲ [Dotted Box] = FEDERAL SUPERFUND SITES
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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street
San Francisco, Ca. 94105-3901

MAR 06 1992

President Ivan Makil
Salt River Pima-Maricopa Indian Community
Route 1, Box 216
Scottsdale AZ 85286

Dear President Makil:

Thank you very much for the opportunity to meet with you, other Community representatives and the various Federal, State and local representatives on February 28, 1992 to discuss concerns with regard to the Tri-City Landfill. Enclosed is a summary of the meeting highlights which we have drafted. If you feel any clarifications to this summary need to be made, please so advise us.

EPA will continue to maintain communications with the Community and various interested parties until such time as the environmental concerns regarding the existing facility are addressed.

Questions or comments regarding the summary should be directed to Roccena Lawatch at (415) 744-1602.

Sincerely,

Harry Seraydarian
Director
Water Management Division

Attachment

cc: See Attached List

SALT RIVER PIMA-MARICOPA INDIAN COMMUNITY
TRI-CITY LANDFILL MEETING
FEBRUARY 28, 1992.

ATTENDEES	AGENCY	PHONE #
Roccena Lawatch	EPA	415/744-1602
Jeff Scott	EPA	415/744-2091
Harry Seraydarian	EPA	415/744-2125
Edward Fox	ADEQ	602/257-6917
Ed Raleigh	Flood Control Dist.	602/506-1501
Chuck Gabriel	SRPMIC	602/941-7376
Bruce Crandall	City of Mesa	602/644-2625
Jeff Martin	City of Mesa	602/644-2065
Randy Grant	City of Scottsdale	602/994-7995
Tom Gannarelli	City of Scottsdale	602/391-5625
Michael Haener	Senator DeConcini	602/379-6756
Ron Ottwell	City of Tempe	602/350-8286
Earl Pearson	SRPMIC	602/941-7348
Russell C. Ray	SRPMIC	602/941-7277
Pat Dodds	City of Scottsdale	602/994-2423
Ron Fowler	U.S. COE	602/640-5385★
Wes Gullett	Senator McCain	602/640-2567
Patrick Cunningham	AZ Atty General	602/542-3881
LTC. Craig Johnson	U.S. COE	602/640-2021
John Winn	U.S. COE-LA	213/894-0437
Stan Smith	Flood Control Dist.	602/506-1501
Gary Brown	City of Tempe	602/350-8402
Ray Garrison	City of Scottsdale	602/994-2506
Mike Hutchinson	City of Mesa	602/644-2066
Frank Mertely	SRPMIC	602/941-7378(7277)
R. Wills	SRPMIC	602/257-1126
Merna Lewis	SRPMIC	602/941-7277
Ivan Makil	SRPMIC	602/941-7277
Bill Jolly	SRPMIC	602/941-7344
Janet Johnson	SRPMIC	602/941-7333

Terry Leonard Env. Coord. SRPMIC

602-941-7340

SUMMARY OF THE ISSUES AND FOLLOW-UP ACTIONS TO ADDRESS TRI-CITY LANDFILL CONCERNS, AS RECORDED BY EPA DURING THE FEBRUARY 28TH MEETING.

ISSUES: FLOODING AND SECTION 404 ISSUES

1. ORDINARY HIGH WATER MARK vs. 100-YR. FLOODPLAIN
2. FLOODPLAIN REGULATION
3. TWO AREAS OF THE LANDFILL WHICH FALL INTO WATERS OF THE U.S. AS IDENTIFIED BY U.S. ARMY COE
4. FUNDING NEEDED TO CONDUCT STUDY OF THE AREA (TRIBE)
5. ADDITIONAL EMERGENCY PREPAREDNESS

ACTION ITEMS TO ADDRESS FLOODING/404 ISSUES

ACTION ITEMS TO ADDRESS ISSUE #3

Step 1 - The U.S. Army COE will prepare a letter to the Salt River Pima-Maricopa Indian Community identifying the areas of the landfill which are impacting waters of the U.S. (there were two small problem areas as depicted on the map delineating the high water mark) requesting that the Tribe propose a plan to address these two areas.

Step 2 - The Tribe will respond with their plan to address the two problem areas and the larger concerns through the study described below.

ACTION ITEMS TO ADDRESS ISSUES #1, 2 AND 3

The Salt River Pima-Maricopa Indian Community is prepared to conduct a special study, which should take approximately 4 months to complete, to identify existing floodplain boundaries, estimate revised floodplain, determine proposed channelization of the Salt River and effect on sand and gravel operations, and identify additional flood control improvements. The Tribe has selected a consultant to conduct the Study, however, funding is needed by the Tribe to get this Study underway. They anticipate the Study will cost approximately \$115,000.

Step 1 - The Tribe will prepare an estimate for the Cities of Tempe, Mesa and Scottsdale to review on the additional costs for disposal to help off-set the cost of the Study.

Step 2 - The Cities will respond to the Tribe's request for additional disposal costs to fund the Study.

ACTION ITEMS ISSUES #5

Consensus of the group was not to pursue any additional emergency actions at this time.

OTHER ISSUES

1. GROUNDWATER CONTAMINATION
2. SURFACE WATER CONTAMINATION
3. CLOSURE OF EXISTING LANDFILL BY OCTOBER 1993
4. LIABILITIES FOR CITIES DISPOSING OF WASTE AT TRI-CITY LANDFILL

ACTION ITEMS TO ADDRESS OTHER ISSUES

ACTION ITEMS TO ADDRESS ISSUES #1, 2, AND 3

The Salt River Pima-Maricopa Indian Community is prepared to conduct a closure study of the existing landfill. This study would include preparation of a Closure Plan, identification of impacts on the Salt River, determining groundwater testing and monitoring requirements, and schedule and cost estimate for landfill closure. The Tribe has already negotiated "tipping fees" with the Cities to help fund the closure study.

The Tribe is conducting a groundwater assessment utilizing existing wells.

Step 1 - The Tribe will submit the groundwater assessment to EPA for review. EPA will coordinate it's review with the State.

Step 2 - EPA will call a meeting with the Tribe and the State to discuss the groundwater report after the review.

ACTION ITEMS ISSUE #4

There are no action items currently identified with regard to the issue concerning potential liability for the Cities.

OPTIONS FOR REGULATING A SOLID WASTE FACILITY AT SALT RIVER
PIMA-MARICOPA INDIAN COMMUNITY.

OPTION 1

The SRPMIC could develop a Solid Waste Landfill Permitting and Enforcement Program in accordance with Part 239 (to be proposed in April 1992). If EPA approves of the Tribal program, the Tribal government would then be the solid waste implementing regulatory agency for such a facility.

OPTION 2

EPA is the implementing regulatory agency (enforcement only), if Tribe does not develop and receive solid waste program approval.

OPTION 3

If the Tribe and the State wish, they may enter into a Cooperative Agreement for the purpose of monitoring, permitting and/or regulating solid waste management activities.

MEETING WAS 2/28

SUMS 7/21, 23, 24

LESLIE ANDREAS ; ROBERT MEYERS

LEANNE ANTON

JACK CONVALOFF

DARRELL KRULL

ACTIONS:

1. Tribe will evaluate pursuing solid waste program NO approval.
2. The Tribe will evaluate pursuing a Cooperative Arrangement with EPA and the State for assuring NO compliance with Federal requirements.
2. EPA will provide SRPMIC with information regarding other Tribal government approaches to solid waste YES regulation.

INFORMATION SENT TO BILL QUINN (8/26; 9/24)

ON SEP 5; BILL ATTENDS THE

LANDFILL TRAININGS IN PHOENIX

7/20 - SENT STIR;

3/08 - CAMPO LANDFILL MODEL

-> PACE BILL - CA REGISTRATION WHICH ALLOWS STATE/TRIBAL
AGREEMENT

ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY

File Symington, Governor

Edward Z. Fox, Director

January 7, 1992

Colonel Robert L. VanAntwerp, District Engineer
U.S. Army Corps of Engineers
Los Angeles District
300 N. Los Angeles Street
Los Angeles, CA 90012

Mr. Dan McGovern, Regional Administrator
U.S. Environmental Protection Agency
Region IX
75 Hawthorne Street
San Francisco, CA 94105

Dear Gentlemen:

I am writing to express my serious concerns over the increasing risks to public health and the environment caused by the Salt River Pima-Maricopa Indian Community Tri-City Landfill. Due to the abundant rainfall over the past weeks, the Salt River is flowing at increased levels and I understand that the flows are anticipated to continue increasing rapidly over the next several days.

As you will remember, approximately a year ago such flows caused significant amounts of debris to be released into the River. It was believed that the debris was coming from the Tri-City Landfill. As a result, emergency actions were taken to stabilize the banks in an effort to prevent future releases. After the initial emergency actions, a commitment was made by the U.S. Army Corps of Engineers, the U.S. Environmental Protection Agency (EPA), the Salt River Pima-Maricopa Indian Tribe, the Cities of Mesa, Scottsdale, Tempe and this Department to coordinate within our jurisdictions to implement specific actions correcting the Landfill's violations under federal law. However, due to limits on the state's jurisdiction on tribal lands, corrective actions must be taken by the Tribe at the direction of the federal regulatory agencies, the Corps of Engineers and EPA.

I am deeply concerned that further regulatory action has not been taken to reduce the Landfill's imminent threat to waters of the United States and Arizona's environment. In addition to correcting the violations at the Landfill, a proper closure plan must be submitted for approval and a new landfill site must be selected outside of a one-hundred year floodplain. This environmental

Colonel VanAntwerp and Mr. McGovern
January 7, 1993
Page 2

threat is at least ten years old and further delay cannot be accepted. As Director of the Arizona Department of Environmental Quality, I am obligated at this time to explore the state's legal options to expedite actions to bring the Tri-City Landfill into compliance.

I hope that we can continue to cooperate in the best interests of all Arizona's citizens and the environment to address the significant problems at Tri-City Landfill as soon as possible.

Sincerely,



Edward Z. Fox, Director

cc: Governor Fife Symington
President Ivan Makil
Mayor Herb Drinkwater
Mayor Willie Wong
Mayor Harry Mitchell

VR EELAND
RECEIVED JUL 31 1992



Salt River

PIMA-MARICOPA INDIAN COMMUNITY

ROUTE 1, BOX 216 / SCOTTSDALE, ARIZONA 85256-9722 / PHONE (602) 941-7277

July 30, 1992

Inter Tribal Council of Arizona, Inc.
ATTN: Claire Miller,
Director of Environmental Programs
4205 North 7th Avenue, Suite 200
Phoenix, Arizona 85013

Dear Mrs. Miller:

The Salt River Pima-Maricopa Indian Community respectfully submits the attached proposal entitled "Design of closure and bank protection of the Salt River adjacent to two landfill areas." The proposal was prepared pursuant to the Inter Tribal Council of Arizona, Inc., Request for Proposal for FY 92, Integrated Waste Management Planning Project.

It is our goal to properly close two landfills and to provide the necessary long term protection to the landfill areas from major flood events. We appreciate your favorable consideration of our request for financial assistance to achieve our goal of providing environmental protection. Please call Mr. Frank Mertely, Community Manager, at 941-7277 if there are questions concerning our application.

Sincerely,

Ivan Makil
President



INTER TRIBAL COUNCIL OF ARIZONA, INC.
**APPLICATION FOR INTEGRATED SOLID WASTE MANAGEMENT
PROJECT**

APPLICANT: SALT RIVER PIMA-MARICOPA INDIAN COMMUNITY
Route 1, Box 216
Scottsdale, Arizona 85256

DATE OF APPLICATION: JULY 29, 1992

TITLE OF PROJECT: DESIGN OF CLOSURE AND BANK PROTECTION OF
THE SALT RIVER ADJACENT TO TWO LANDFILL
AREAS

DURATION OF PROJECT: START DATE: SEPTEMBER 1, 1992
END DATE: MAY 31, 1993

DURATION IN MONTHS: NINE (9) MONTHS

AMOUNT REQUESTED: \$50,000

**PROPOSAL APPLICATION
PART I.**

A. TRIBAL PROFILE

1. Size, population, natural topography and geography of your Tribe.

a. Size: The Salt River Pima-Maricopa Indian Community consists of 53,329 acres of land, 82 square miles, lying to the east of Scottsdale and Phoenix and north of Mesa and Tempe. The general configuration of the land includes an area which extends from approximately six to nine miles in a north-south direction and approximately 14 miles in an east-west direction.

The Salt River and Lehi Communities are separated by the Salt River with the Lehi Community south the river, north of McDowell Road and to the west of Gilbert Road. These two electoral districts are further subdivided into seven Council districts. One Council member represents each of these districts except for the Lehi district which is represented by two Council members. Please refer to Figure 1 for the Arizona location map and Figure 2 for the Phoenix metropolitan location map.

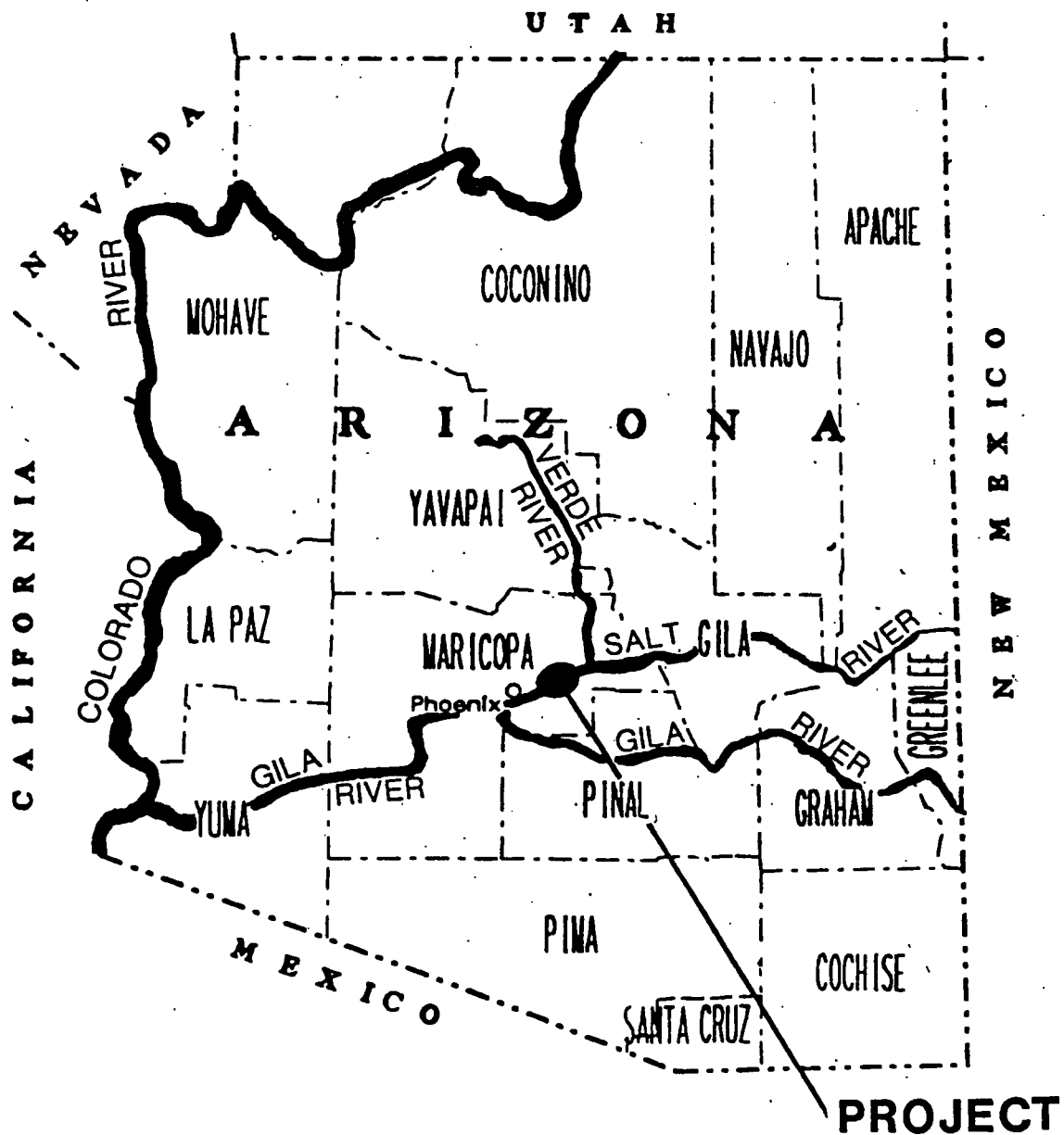
b. Population: The following demographic data provides information on the size and distribution of the Salt River Pima-Maricopa Indian Community's population:

<u>DESCRIPTION</u>	<u>TOTAL</u>	<u>MALE</u>	<u>FEMALE</u>
TOTAL POPULATION	5,167	2,682	2,485
on-reservation	4,763	2,493	2,270
off-reservation	404	229	175
TRIBAL ENROLLMENT*	5,315	2,802	2,513
AGE GROUPS:			
Under 16 years	1,377	709	668
16-24	737	334	403
25-34	685	358	327
35-44	441	204	237
45-64	817	343	474
65 & over	706	326	380

Ethnic composition: 98% tribal members
 2% non-tribal members including
 non-Indians

SOURCE: Bureau of Indian Affairs, 1991 Effort on Service Population and Labor Force Report

*Tribal Enrollment figures from Tribal Enrollment Office as of June, 1992

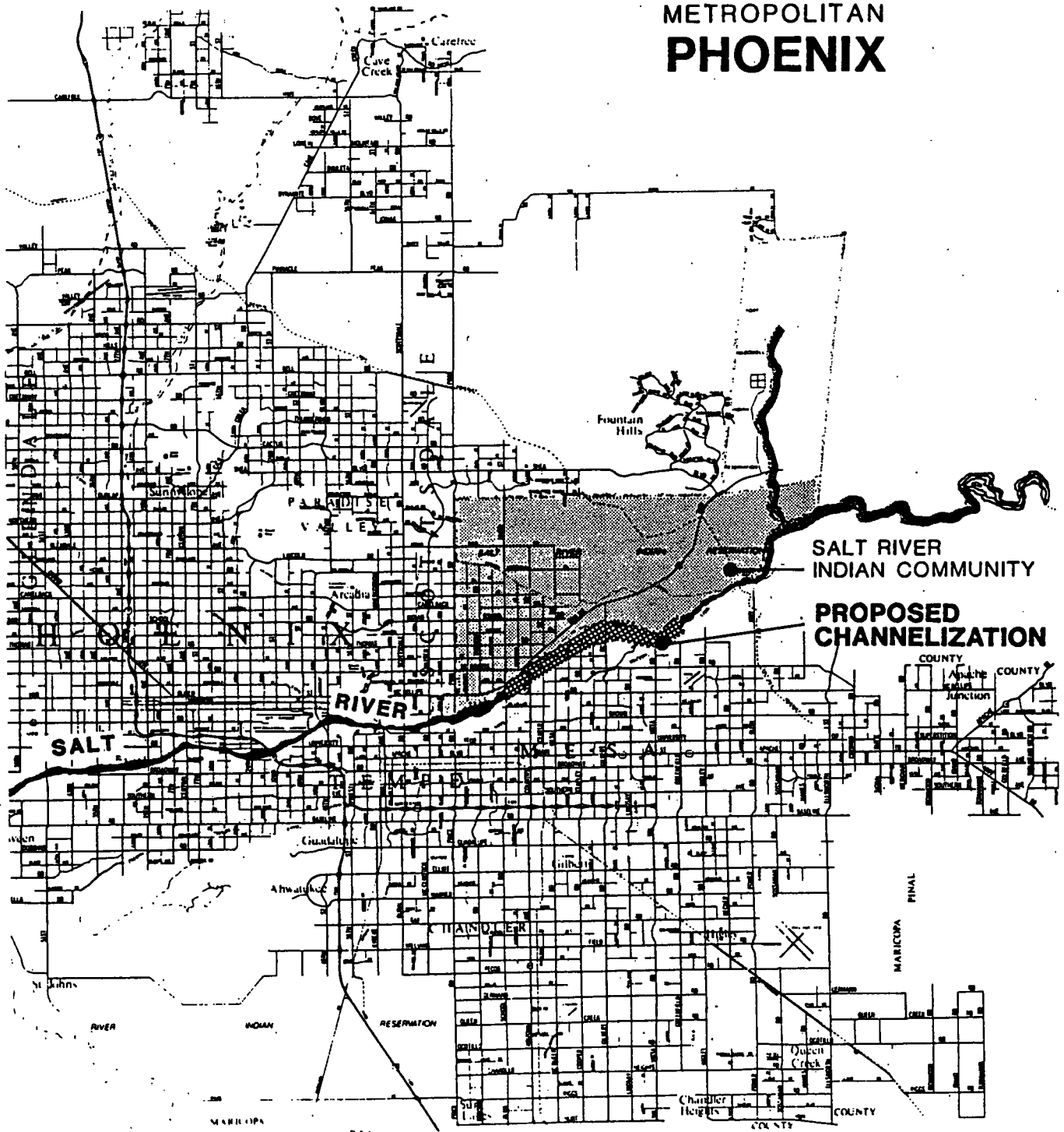


DESIGN CONCEPT REPORT
CHANNELIZATION AND BANK PROTECTION
ON THE SALT RIVER

Project Location Map



METROPOLITAN PHOENIX



DESIGN CONCEPT REPORT
CHANNELIZATION AND BANK PROTECTION
ON THE SALT RIVER

Project Vicinity Map

c. Natural Topography and Geography

In the broadest topographical terms, the Salt River Pima-Maricopa Indian Community lies in a transition zone between the Sonoran Desert and Mexican Highland sections within the Basin and Range physiographic province of the southwestern United States. This physiographic regime is characterized by northwest trending mountain ranges and intervening alluvial basins.

The area can be divided into three basic topographical groupings: the flat, fertile desert land that makes up the larger portion of the Community which lies west and southwest of Sawik Mountain; the gently and moderately rolling land around Sawik Mountain extending to the north and east; and the very rugged and rocky mountain sides of Sawik Mountain and Red Mountain (located in the northeastern section of the reservation). In general, the elevation decreases from the northeast to southwest. The hills in the northeast have a maximum elevation of roughly 2,800 feet. This gradually slopes downward to the valley floor, which has an average elevation of approximately 1,200 feet above sea level.

2. Activities (commercial/noncommercial which affect the tribe's environmental condition.

Commercial uses including retail, services, wholesale or warehousing are scattered along McDowell Road, Pima Road and McKellips Road. The more significant commercial land uses within the Community are the Community warehouse on McKellips Road, a six screen drive-in theater, a variety of other establishments including building supplies, mini-warehouse and RV/boat storage warehouses, two golf courses, service stations, convenience market, food and tobacco shops, a plant nursery and neighborhood food stores, auto repair services, and a major commercial center.

The major commercial land use is The Pavilions Shopping Center at the intersection of Pima Road and Indian Bend Road. The Pavilions is primarily a retail Power Center with some restaurants and a United Artist theater. Target, Home Depot, Phar Mor and the most recent Mervyns Department Store are the anchor tenants at an average of 93,500 square feet of space. The total gross building area for the shopping center is 1,153,034 square feet.

Light and general industrial land uses including septic tank manufacturing, asphalt and cement production plants, sand and gravel mining and crushing plants, and woodwork furniture manufacturing plant are the major uses in industrial zoned areas. Six sand and gravel companies are licensed and permitted to mine within the Salt River with the largest operation owned and operated by the Community. The mining permits are issued for areas designated as the Natural Resource zoned areas. Please see Figure 3 for existing land uses.

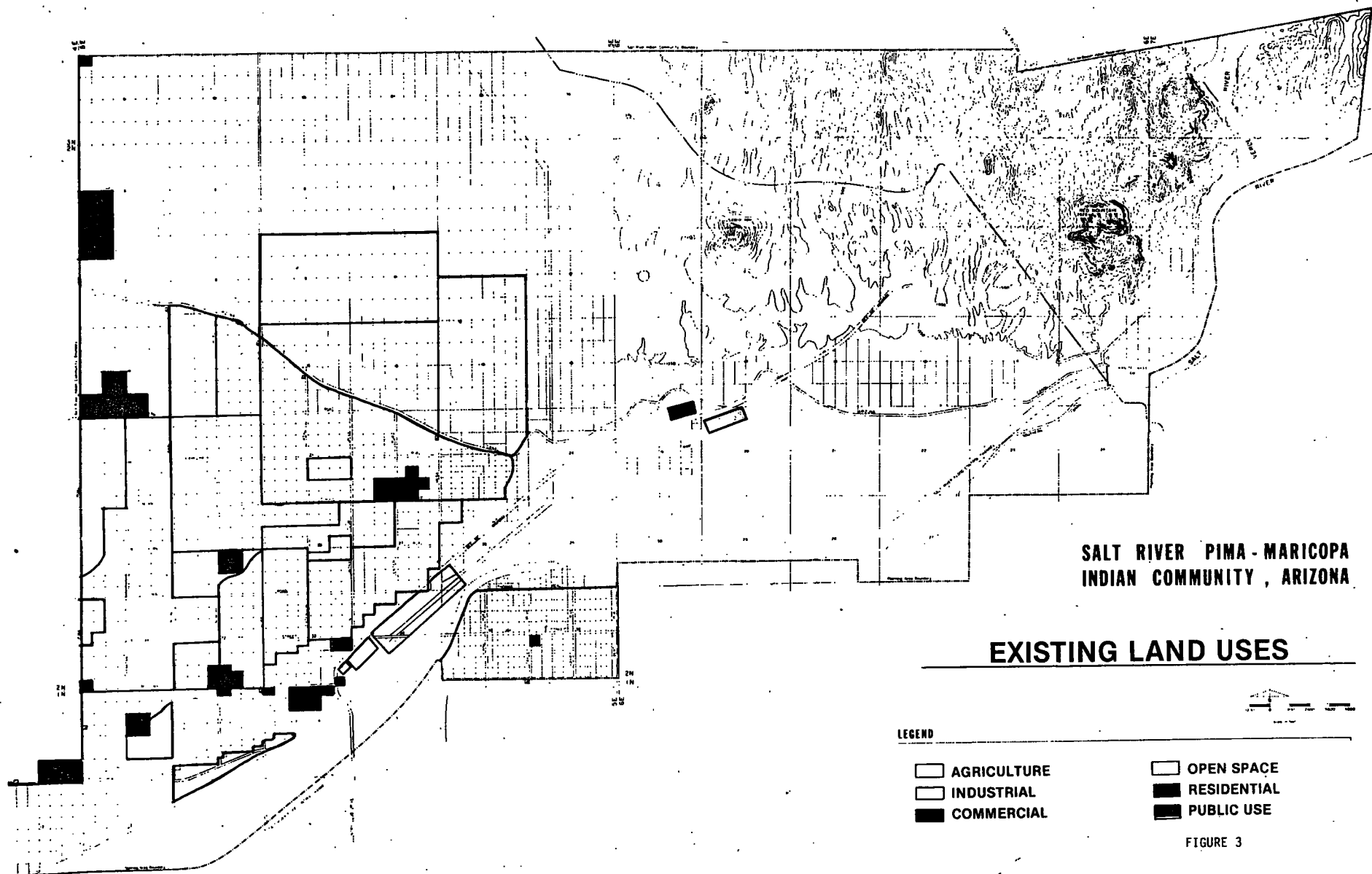
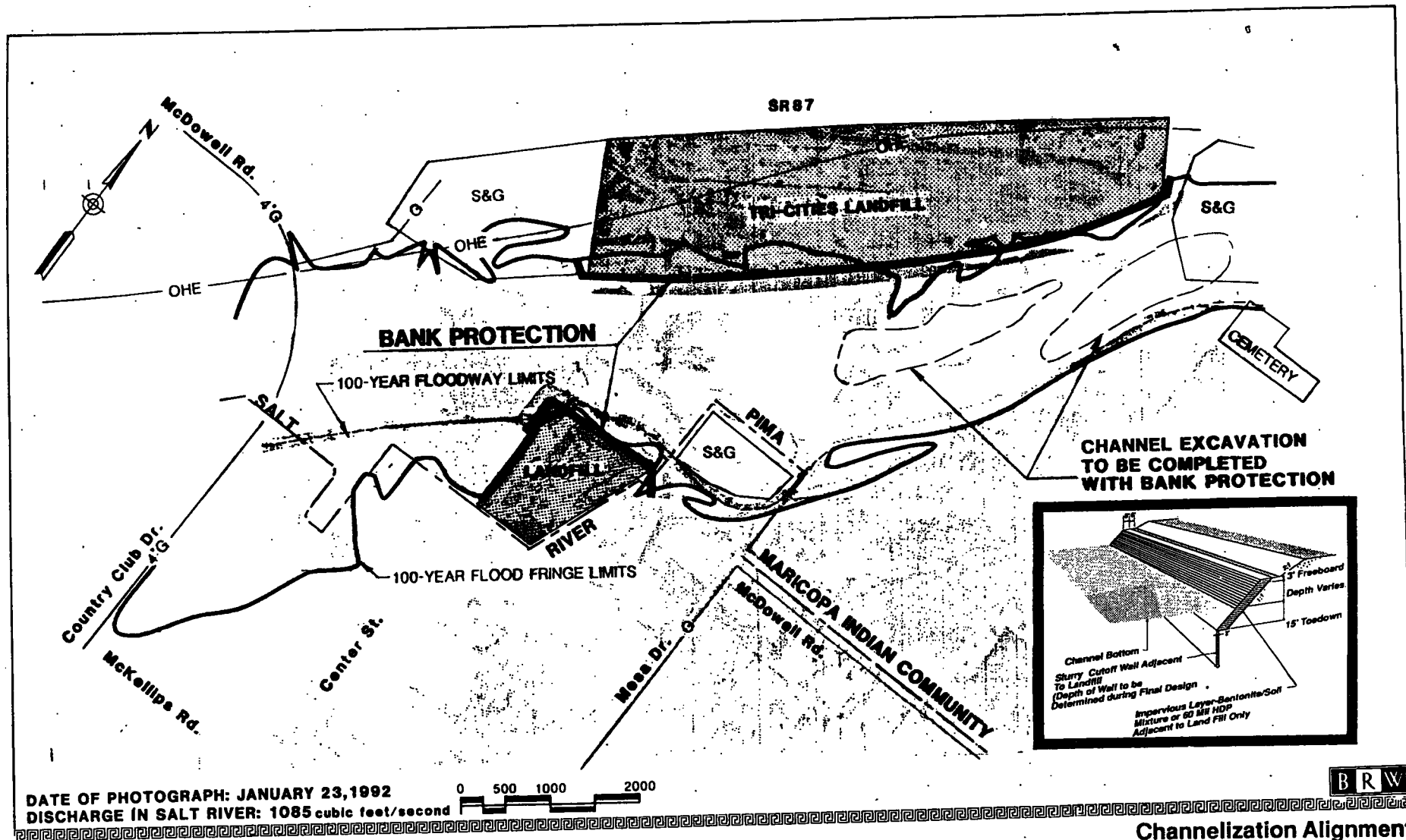
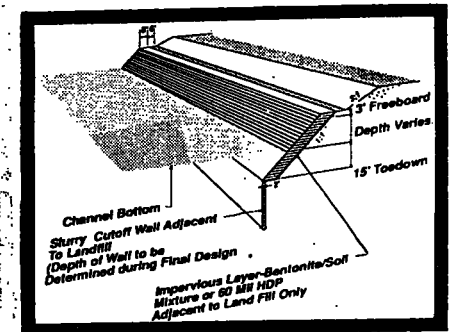


FIGURE 3



**BANK PROTECTION ADJACENT
 TO LANDFILL AREAS
 ON THE SALT RIVER**



BRW

FIGURE 4

3. Social and cultural interests of the Tribe in carrying out activities which involve the use of environmental resources (i.e. fishing, hunting, raising livestock, crop production, etc.)

It is a Community law that all proposals for development affecting the use and disposition of allotted lands and the use and development of the lands, natural resources and other public property shall require public hearings to determine the following:

- the impact of the proposed action on Community integrity and Indian culture,
- any adverse effects on Community integrity and Indian culture which cannot be avoided should the proposal be implemented,
- alternatives to the proposed action,
- the relationship between local short-term economic benefit and the maintenance and enhancement of Community integrity and Indian culture, and
- any irreversible and irretrievable commitments effecting Community integrity and Indian culture which would be involved in the proposed action should it be implemented.

The Land Management Board and Community Council public hearings were established as a development review process in light of profound impact of population growth, high-density urbanization, industrial expansion, resource exploitation, and the critical importance of maintaining the Salt River Pima-Maricopa Indian Community as a Community of Indian people dedicated to the preservation of Indian culture and in balance with economic, educational and cultural advancement.

Community participation through public hearings foster and promote the general welfare to create and maintain conditions under the Indian people of this Community can exist in productive harmony, and fulfill the social, cultural, economic requirements of their present and future generations.

4. If applicable, location of proposed activity and proximity to residential areas.

The proposed bank protection and channelization is approximately one mile to the nearest single family home, and the proposed landfill closure is approximately one half mile to the nearest single family homes. The closest residential units are homes along State Route 87 (Beeline Highway) at Mesa Drive. The Lehi Community south of the Salt River with numerous residential areas approximately one mile from the proposed project.

Agricultural uses consist primarily of approximately 10,500 acres of cultivated row crops particularly cotton and produce. Agricultural leases are renewed annually. Agricultural use is expected to expand north of the Arizona Canal in accordance with the 1988 Water Settlement and subsequent planning and design work with the U.S. Bureau of Reclamation.

5. Status of tribal ordinances/regulations for solid/hazardous waste.

The Community environmental law ensures compliance with federal environmental law regulating solid waste disposal facilities, and strengthens and clarifies the Community's environmental law protecting the welfare and safety of the public.

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This tribal environmental law specifically prohibits illegal dumping, criminal trespass and fines associated with such trespassing, civil trespass and fines associated with such trespassing, prohibits dumping of hazardous substances, prohibits dumping of "hot" loads that pose an imminent danger to combustion, prohibits disposal of sewage sludge or septic tank pumpings, and requirements for landfill operations.

6. Additional information which would be significant, such as the availability of tribal financial resources to address solid waste management issues to the proposed activities in a workplan to assist the EPA and ITCA to better understand the tribe's conditions and environmental needs.

The Salt River Pima-Maricopa Indian Community has made available to this project the majority of the total project costs. The Community has made this commitment in light of its environmental concern for the Salt River Corridor.

EXPAND
TITZ
PRESENT

The Community has identified the need to prepare a Land Use Master Plan for the Salt River Corridor from the Granite Reef Dam to the Hayden Road Bridge. As such, the Community retained BRW, Inc., an engineering and land use planning firm, to prepare the Land Use Master Plan for the Salt River Corridor which will effectively integrate the solutions to five significant engineering issues. These engineering issues include the desired Beeline Highway road widening improvement plans; closure of the existing Center Street Landfill and Tri-Cities Landfill; relocation or siting of a replacement landfill; existing and future sand and gravel operations in the Salt River; and, definition a floodway/floodplain in the Salt River.

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153045

The Land Use Master Plan that is developed will include land areas in the river bottom and floodplain areas surrounding the Salt River. The floodplain studies have been completed for the corridor as well as the State Route 87 (Beeline Highway) widening improvement plans. The Community is currently working on closure and relocation plans for the landfill.

**PROPOSAL APPLICATION
PART II.**

A. DESCRIPTION OF PROBLEMS AND NEED

The Salt River Pima-Maricopa Indian Community has been operating its Tri-Cities Landfill for commercial use since the early 1970s. The Tri-Cities Landfill is located along State Route 87 between Oak Street and Horne Road, see Figure 4. The Tribe initially opened the facility as solid waste disposal site for Community members but in the early 1970s, the City of Scottsdale leased the parcel, purchased heavy equipment, and opened the facility for commercial use.

After several years of the City of Scottsdale operation, the Tribe purchased heavy equipment, raised the tipping fee and took over operations. The Tri-Cities Landfill currently serves as a solid waste disposal site for the Community, City of Scottsdale, City of Mesa and general construction companies. It has been and continues to be the policy of the Community that only municipal solid waste and approved construction debris are disposed at this site. It is anticipated that the life expectancy of the Tri-Cities has six months remaining before closure plans are implemented.

In addition, the Community has operated the Center Street Landfill since the late 1970s. Figure 4 shows the location of the Center Street Landfill along the south bank of the Salt River. The site is approximately 40 acres with the capacity of one lift remaining. The City of Mesa has been the primary user of this facility.

In January, 1992, heavy flows of approximately 13500 cubic feet per second was released into the Salt River by the Salt River Project. Although this release did not impact leachate in the two landfills, there was vital concern by the Community of potential scour and erosion of the earthen berm which is used as bank protection. During release of heavy flows, the Community with its own resources placed riprap along the landfill areas to prevent flooding of the areas adjacent to landfill areas to protect and support the earthen berm. The U.S. Corps of Engineers has since determined that the placement of the riprap as bank protection is in violation of the Clean Water Act, Section 404, and requested the Community to prepare a corrective measures plan to resolve the unauthorized discharge. (STILL WAITING - DUE 30 AUG) "DON FOWLER"

The Community initiated the master planning of the Salt River Corridor by hiring an engineering firm prior to the involvement of the Corps of Engineers and their subsequent requirement for corrective measures plan. The master planning project includes channelization and bank protection to the landfill areas. The Community retained BRW, Inc., an engineering and land use planning firm, to prepare the Design Concept Report for Channelization and

Bank Protection on the Salt River through the Salt River Pima-Maricopa Indian Community, March 17, 1992, which is considered as the corrective measures plan.

The Design Concept Report determined that construction of the Salt River channelization and bank protection to be a long term project and proposed to be completed in phases. The phases in order of priority are as follows:

Phase 1 Country Club Drive to Horne Road - 2 river miles

Phase 1A - Bank protection adjacent to landfill areas

Phase 1B - Channelization and remaining bank protection

Phase 2 Alma School Road to Country Club Drive - 1 river mile

Phase 3 - Horne Road to Greenfield Road - 4 river miles

The first phase, Country Club Drive to Horne Road, is the highest priority because the two landfill areas and the cemetery are located within this reach of the project. Protection of these areas from potential flood damage is an immediate concern.

The first phase is further subdivided into phases 1A and 1B. Phase 1A is the immediate construction of the bank protection adjacent to the two existing landfill areas. This bank protection is very important from a public health and safety perspective, as it provides for protection of the landfill areas from river scour and erosion.

It is the desire of the Salt River Pima-Maricopa Indian Community to complete Phase 1A work immediately. Phase 1B is the construction of the remaining bank protection and the channelization of the Salt River between Country Club Drive and Horne Road. This proposal is only for Phase 1A bank protection design work and closure of the two landfills design work.

B. PROGRAM GOAL AND OBJECTIVES

The goals of this project is to 1) complete bank protection and channelization of the river which will provide the necessary long term protection of the landfill areas from major flood events and 2) to close the Tri-Cities Landfill in accordance with Subtitle D requirements.

LANDFILL CLOSURE DESIGN PROJECT SCHEDULE

<u>TASK #1.0</u> ADMINISTRATION	<ul style="list-style-type: none"> PROJECT MANAGEMENT / PROJECT COORDINATION / REPORTING (QUARTERLY) 											
<u>TASK #2.0</u> DESIGN CONSULTANT SELECTION	<ul style="list-style-type: none"> DEVELOP SCOPE OF WORK SOLICIT S.O.I. DEVELOP/ADVERTISE R.F.P. ORAL INTERVIEWS SELECT CONSULTANT 											
<u>TASK #3.0</u> DESIGN AND CONSTRUCTION DOCUMENTS	<ul style="list-style-type: none"> TOPOGRAPHIC SURVEY AND MAPPING GEOTECHNICAL INVESTIGATION AND TESTING PREPARE BID DOCUMENTS AND SPECS. FOR COMPETITIVE BIDS PREPARE CONSTR. COST ESTIMATE AND CONSTRUCTION PLANS 											
<u>TASK #4.0</u> DELIVERABLES	<ul style="list-style-type: none"> R/W MAPS SURVEY NOTES CONSTR. PLANS 											
<u>TASK #5.0</u> EVALUATION	<ul style="list-style-type: none"> PROJECT PERFORMANCE QUALITY OF WORK BUDGET PERFORMANCE RELATIONSHIP 											
<u>TASK #6.0</u> CLOSEOUT	<ul style="list-style-type: none"> SUBMIT FINAL REPORT WITHIN 90 DAYS OF THE END OF THE PROJECT PERIOD. 											
<div> <div>9/1/92</div> <div>10/92</div> <div>11/92</div> <div>12/92</div> <div>1/93</div> <div>2/93</div> <div>3/93</div> <div>4/93</div> <div>5/30/93</div> <div>6/93</div> </div>												

COE'S TO FRAME 6 MONTH ENV DESIGN
12 MONTH CONSTRUCTION

Within nine months of notice to proceed from the funding agency, the Salt River Pima-Maricopa Indian Community will accomplish the following objectives associated with the project goals:

- 7112
PROJECT
1. To prepare final engineering plans with construction cost estimate for the closure of the two landfills using the design concepts from the BRW, Inc study.
 2. To prepare final engineering plans with construction cost estimate for the channelization and bank protection for the Tri-Cities and Center Street Landfills using the Design Concept Report, BRW, Inc., June 17, 1992.
 3. To satisfy the closure requirements of the Resource Conservation and Recovery Act, Subtitle D, mandated by the U.S. Environmental Protection Agency. } TO CLOSE!
 4. To provide a 100-year level of flood protection to existing developments including the two landfills and to other Community owned undeveloped lands.
 5. To ensure that improvements include long term environmental protection including air, surface and groundwater monitoring plans.

C. PROGRAM WORKPLAN

In order for the Community to achieve the stated project goals and objectives, the Community determined technical assistance would be required, and thus proceeding with implementation plans for design phase. The following workplan delineates tasks and activities which will be started and completed as shown on the Project Schedule sheet next page. The Project Manager will be directly responsible for completion of all tasks listed below, however, the design consultant will be responsible for completion of Task 3.0 and Task 4.0.

TASK 1.0 PROJECT ADMINISTRATION

- ★ 1.1 Project Management - management of the project workplan, schedule, and budget by directly working with the design consultant and the tribal organization.
- ★ 1.2 Project Coordination - the project requires considerable amount of coordination within the tribal organization and with other agencies. The coordination plan will be prepared by design consultant and approved by the Project Manager prior to issuance of Notice to Proceed.

~~X~~ 1.3 Reporting - program and financial reports to the funding agency will include the following:

- written narrative of completed outputs of the workplan
- projected outputs for the next quarter and notification of any proposed changes to workplan
- status reports of outputs not completed as scheduled
- financial status report of year to date expenditures

TASK 2.0 DESIGN CONSULTANT SELECTION (SALT-RIVER?)

2.1 Develop final Scope of Work (SOW)

- Prepare, circulate, and revise draft and final SOW

2.2 Develop Statement of Interest (SOI) Evaluation Criteria

- Prepare, circulate and revise draft and final SOI evaluation criteria

2.3 Solicitation of Statement of Interest (SOI)

- Develop and advertise public announcement for Solicitation of SOI
- Receive and certify acceptable SOI

2.4 Development of reduced candidates list

- Evaluation of certified firms
- Approval of short listed firms

2.5 Request for Proposals (RFP)

- Develop proposal evaluation criteria - prepare, circulate, and revise draft and final RFP
- Prepare RFP packet with SOW
- Mail RFP to short listed firms
- Pre-proposal meeting
- Receive and certify acceptable proposals

2.6 Selection of recommended firm

- Evaluation of proposals
- Committee meeting to discuss evaluation
- Develop oral interview questions

2.7 Oral interviews

- Hold oral interviews - rating and evaluation of interviews

2.8 Scope and price negotiations

- Request price proposal from top ranked firm (including man-hours, direct labor, escalation, payroll burden, overhead, direct costs, fixed fee, total costs)
- Analysis of cost proposal and conduct negotiations (review technical proposal, cost proposal, scope revisions, and agreement on labor costs and direct costs)
- Community approval of negotiated price and top ranked consultant

TASK 3.0 DESIGN AND CONSTRUCTION DOCUMENTS

Using the Design Concept Report, BRW, Inc, dated March 17, 1992, prepare construction and bidding documents for the channelization and bank protection improvements adjacent to the Tri-Cities and Center Street Landfills. In addition, prepare construction and bidding documents for the closure of the landfills. Services will include the following:

- ★ 3.1.1 Topographic survey and mapping
- ★ 3.1.2 Geotechnical investigation and testing
- 3.1.3 Prepare construction drawings at 1"=100' scale for approximately 30 sheets including details
- 3.1.4 Prepare bid documents and specifications for competitive contractor bids
- 3.1.5 Prepare engineers construction cost estimate for bid evaluation purposes
- 3.1.6 Prepare right-of-way maps and legal descriptions for new right-of-way along the Salt River.
- 3.1.8 Coordinate design work and any necessary permits with the U.S. Environmental Protection Agency, U.S. Corps of Engineers, Maricopa County Flood Control District and the Arizona Department of Environmental Quality.

TASK 4.0 DELIVERABLES

The following is a list of deliverable documents to be submitted to the Community by the Engineer:

- Construction plans, 24" X 36"
- Contractor Bid Documents and technical specifications, 8 1/2" X 11"

- Field Survey Notes, 5" X 7" books
- Right-of-maps with metes and bounds legal description, 24" X 36" mylar plus prints

TASK 5.0 PROJECT EVALUATION

- 5.1 Project Performance - the Project Manager will prepare written evaluation on the consultant with respect to supervision of sub-consultants, resourcefulness, cooperativeness, timely performance.
- 5.2 Quality of Work - the written evaluation will also include the accuracy of work, completeness of work, compliance with standards, directives, guidelines, design criteria.
- 5.3 Budget performance - the written report also includes performance within budget by the consultant.
- 5.4 Relationships - the written report will address relationships with project staff, with other agencies, and with the public.

TASK 6.0 PROJECT CLOSEOUT

- 6.1 Submit final report within 90 days of the end of the project period.

TASK 1-6 ~~THE~~ FUNDED BY ITCA
FOR \$50,000

D. PROGRAM STAFF

Within the past four years, the Community has successfully constructed a major commercial center, Pima Freeway bridges, numerous Community roads and other public works projects, and several public buildings. Although the Community Development Department has managed and coordinated these projects from inception through the construction phase, the design work have been contracted out. The current policy of contracting design work is anticipated to remain in place until the Community has built up its design capability. Currently, the Community has several design projects in process.

Project management is essential in delivering quality products on time and within budget. The Salt River Pima-Maricopa Indian Community has a stringent quality assurance requirement for professional services within its procurement regulations. Total

→ WHAT DOES THIS MEAN.

Quality Management (TQM) has been incorporated in contracts and subcontracts for professional services to the Community. TQM experience in the management of engineering and construction projects has provided quality and cost effective projects for the Community. The following is the list of position descriptions for the proposed project:

1. Department Director

The Director provides overall management and acts as the liaison between the Project Manager, Tribal Administration and the Community Council. The Director provides direction and guidance to project staff on policy issues.

2. Project Manager

The Project Manager is key staff person to ensure the workplan is completed on schedule and within budget. The Manager performs the day to day activities including meeting with the design consultant, prepares reports, checks invoices, prepares change orders, checks submittals, and acts as liaison for the Community and other agencies involved. The Manager reports directly to the Director on project status, issues that cannot be resolved at the project level. The Project Manager will work with the funding agency to accomplish the tasks listed in the workplan.

3. Accountant

The Accountant is part of support staff to the Director and the Project Manager by providing monthly financial reports and coordinating invoices before paying consultants. The Accountant also prepares and submits quarterly financial reports to the funding agency.

4. Secretary

The Secretary is also part of the support staff to the project staff by maintaining project files, typing reports, documents, correspondences, and coordinating communication.

"
THIS IS THE PROJECT
ORG CHART!"

E. PROGRAM COSTS

1. PROJECT LINE ITEM COSTS

	<u>TRIBAL FUNDS</u>	<u>FEDERAL FUNDS</u>
A. PERSONNEL:	\$ 14,242*	
1. Department Director	\$ 1,750	
2. Project Manager	\$ 7,500	
3. Accountant	\$ 2,496	
4. Secretary	\$ 1,664	
B. FRINGE BENEFITS	\$ 8,279*	
C. TRAVEL	\$ 3,000*	
D. CONTRACTUAL AGREEMENTS	\$218,000*	\$50,000*
E. SUPPLIES	\$ 2,000*	

TOTAL PROJECT COST

\$295,521*

2. BUDGET JUSTIFICATION

a. PERSONNEL:

1. Department Director is the person responsible for this project at senior management level. This person reports to the Tribal Administration Office on project status and directives. It is anticipated this person would contribute five (5) percent of his time on this project.

2. Project Manager is directly responsible for management of the project and the completion of project objectives and tasks. This person will also work directly with the consultant to complete the design work. The Project Manager will be on this project twenty five (25) percent of his/her time on this project.

3. Accountant is responsible for preparing and submitting financial reports. The Accountant will also work with the Project Manager to pay invoices on time and submit monthly financial reports to project staff. The Accountant will be on this project ten (10) percent of his/her time. Program annual audit is performed in accordance with the Single Audit Act.

4. Secretary is needed to assist the Project Manager to maintain project files, type correspondences, reports, documents required to accomplish project objectives. The Secretary will also act as Office Manager to coordinate communication in absence of the Project Manager. This person will be on this project fifteen (15) percent of his/her time.

b. FRINGE BENEFITS

The Community compensates each permanent employee for fringe benefits at \$1500 per employee for health care, \$.125 per employee for payroll taxes, \$.035 per employee for pension plan.

c. TRAVEL

It is anticipated that the Project Staff will be required to perform local travel at approximately 5,000 miles. The Tribe reimburses \$.225/mi. for employees use of privately owned vehicles. Trips requiring eight or more hours from the office are reimbursed at \$24.00 per day. Out of town travel for project staff is not anticipated.

d. CONTRACTUAL AGREEMENTS

The majority of the project workplan will require design work and the Community proposes to subcontract to a consulting engineering firm Task Number 3.0 and 4.0. The solicitation and selection of the consultant will be conducted in accordance with tribal procurement procedures. The subcontract will be a fixed, lump sum fee contract. The detail and final Scope of Work will be prepared by the Project Manager upon Notice of Award from the funding agency. The final Scope of Work will include the following tasks:

1) LANDFILL CLOSURE PLANS

- field surveys
- aerial mapping
- geotechnical investigations
- final design and plan preparation
- expenses (printing, copying)

2) CHANNELIZATION AND BANK PROTECTION PLANS

- field surveys
- aerial mapping
- geotechnical investigations
- hydrologic and hydraulic analysis
- final design and plan preparation
- expenses (printing, copying)

WHAT'S THE \$50,000
FOR!

F. TRIBAL SUPPORT

The total project cost is \$295,521 with the majority of the cost proposed to be funded by the tribe. Please see the attached Salt River Pima-Maricopa Indian Community Council Resolution Number 1564-92.

SALT RIVER PIMA-MARICOPA
INDIAN COMMUNITY
Route 1, Box 216
Scottsdale, Arizona 85256

RESOLUTION No. SR-1564-92

WHEREAS, the Salt River Pima-Maricopa Indian Community Council is in the process of closing the landfill and wishes to implement closure plans in accordance with the Environmental Protection Agency, Subtitle D, requirements; and

WHEREAS, the proposed project clearly established a development process that shows how the Community will address public health and safety measures through a planned approach to closure of the landfill and the design and construction of the bank protection adjacent to the landfill; and

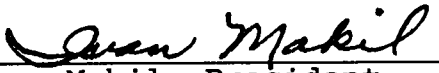
WHEREAS, the Salt River Pima-Maricopa Indian Community Council has carefully reviewed the application to Inter Tribal Council of Arizona and supports the project concept and design.

NOW, THEREFORE, BE IT RESOLVED by the Salt River Pima-Maricopa Indian Community Council that it approves the application and directs the President or Vice President to forward the application to Inter Tribal Council of Arizona and authorizes them to execute any documents necessary to implement the grant for and in behalf of the Community.

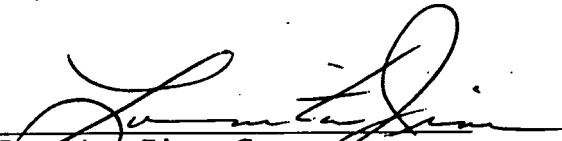
C E R T I F I C A T I O N

Pursuant to authority contained in Article VII, Section 1 (h) of the Constitution of the Salt River Indian Community ratified by the Tribe, February 28, 1990, and approved by the Secretary of the Interior, March 19, 1990, the foregoing resolution was adopted this 29nd day of July, 1992, at a duly called meeting held by the Community Council in Salt River, Arizona at which a quorum of 7 members were present by a vote of 7 for; 0 against; 2 excused.

SALT RIVER PIMA-MARICOPA
INDIAN COMMUNITY COUNCIL


Ivan Makil, President

ATTEST:


Lonita Jim, Secretary

ERNS INCIDENT NOTIFICATION REPORT

Regional Case Number: _____

Reported (mm/dd/yyyy): 01-12-93		Time (HH/MM): 0829		Regional Time (HH/MM): _____		Multiple Report: <input type="checkbox"/>	
Recorded By: DJ EPA-ERS				Multiple Regional Case Number: _____			
Through NRC: <input type="checkbox"/>		NRC Case Number: _____		SSI Report: <input type="checkbox"/>		CR Number: _____	
A. REPORTER		Confidentiality Requested: <input type="checkbox"/>		*Reported By: Norm Gumbels			
*Privacy Act		Organization Name: A2 Environmental Programs Manager					
Organization: (Check One)		<input type="checkbox"/> Discharger <input type="checkbox"/> Public <input checked="" type="checkbox"/> State <input type="checkbox"/> Local <input type="checkbox"/> Federal <input type="checkbox"/> Unknown		*Phone: _____			
*Address: _____		(602) 207-4122 ext.: _____					
City: _____		County: _____		State: AZ		Zip: _____	
B. DISCHARGER		Same As A <input type="checkbox"/>		Organization: (Check One) <input type="checkbox"/> Private Co. <input type="checkbox"/> Public <input type="checkbox"/> State <input type="checkbox"/> Local <input type="checkbox"/> Federal <input type="checkbox"/> Unknown			
Discharger Name: _____		Phone: () _____		ext.: _____			
Contact Name: _____		2nd Phone: () _____		ext.: _____			
Address: _____		Facility ID Number: _____					
City: _____		County: _____		State: _____		Zip: _____	
C. INCIDENT LOCATION		Same As A <input type="checkbox"/>		Street or Approx. Location: Tri-City Landfill, Salt River			
Same As B <input type="checkbox"/>		Pima Indian Reservation					
City: _____		County: _____		State: _____		Zip: _____	
D. DATE		Discovery Date (mm/dd/yyyy): _____		Spill Date (mm/dd/yyyy): _____		Spill Time (HH/MM): _____	
E. MATERIAL		Material Type: (Check One) <input checked="" type="checkbox"/> Unknown <input type="checkbox"/> Oil <input type="checkbox"/> Haz Sub <input type="checkbox"/> Other					
Material Name		CHRIS	CAS No.	UN DOT No.	Quantity	Units (Circle One)	Quantity In Water
1. Landfill Leachate						lb bbl drn unk gal ton oth	
2.						lb bbl drn unk gal ton oth	
3.						lb bbl drn unk gal ton oth	
F. SOURCE		Source of Spill: (Check Any) <input type="checkbox"/> Highway <input type="checkbox"/> Railway <input type="checkbox"/> Pipeline <input type="checkbox"/> UST <input checked="" type="checkbox"/> Fixed Facility <input type="checkbox"/> Other					
		<input type="checkbox"/> Air Transport <input type="checkbox"/> Vessel <input type="checkbox"/> Offshore <input type="checkbox"/> AST <input type="checkbox"/> Unknown					
Vehicle ID or Carrier No.: _____		Number of Tanks: _____		Tank Capacity: _____		Tank Units: (Circle One) lb bbl drn unk gal ton oth	
Source Description: Heavy flooding & damage AT landfill facility.							
G. MEDIUM		Medium Affected: (Check Any) <input type="checkbox"/> None <input checked="" type="checkbox"/> Land <input type="checkbox"/> Groundwater <input type="checkbox"/> Other					
		<input checked="" type="checkbox"/> Air <input checked="" type="checkbox"/> Water <input type="checkbox"/> Within Facility <input type="checkbox"/> Unknown					
Waterway Affected: SALT RIVER							
H. CAUSE		Reported Cause: (Check Any) <input type="checkbox"/> Transportation Accident <input type="checkbox"/> Operational Error <input type="checkbox"/> Dumping <input type="checkbox"/> Other					
		<input type="checkbox"/> Equipment Failure <input checked="" type="checkbox"/> Natural Phenomenon <input type="checkbox"/> Unknown					
Cause Description: Flooding							
I. DAMAGE		No. of Injuries: _____ <input type="checkbox"/> None		No. of Deaths: _____ <input type="checkbox"/> None		Property Damage > \$50,000: <input type="checkbox"/>	
J. ACTIONS		Evacuation: <input type="checkbox"/> Response Actions Taken: EPA/TAT TO RESPOND					
		308 KIRCH, DEQ Flyover w/ AIR NATIONAL GUARD 0930-1100					
K. NOTIFIED		Caller Has Notified: (Check Any) <input type="checkbox"/> State/Local <input type="checkbox"/> Discharger <input type="checkbox"/> USCG <input type="checkbox"/> Other <input type="checkbox"/> Unknown					
Agency Name: _____							
L. COMMENTS		Comments: Landfill batteries eroding away into River, fires, smoke, pocket gas explosions, odors.					
		Additional Information (See Reverse Side) <input type="checkbox"/>					
M. RESPONSE AND EVALUATION		Response Comments: STATE requests sampling support to assess discharge to River.					
Agency Name: _____		(Check One) <input type="checkbox"/> Local <input type="checkbox"/> State <input type="checkbox"/> Discharger <input type="checkbox"/> Federal <input type="checkbox"/> EPA <input type="checkbox"/> Other <input type="checkbox"/> Unknown					
Agency Name: _____		(Check One) <input type="checkbox"/> Local <input type="checkbox"/> State <input type="checkbox"/> Discharger <input type="checkbox"/> Federal <input type="checkbox"/> EPA <input type="checkbox"/> Other <input type="checkbox"/> Unknown					
Agency Name: _____		(Check One) <input type="checkbox"/> Local <input type="checkbox"/> State <input type="checkbox"/> Discharger <input type="checkbox"/> Federal <input type="checkbox"/> EPA <input type="checkbox"/> Other <input type="checkbox"/> Unknown					

REGION 9 INCIDENT NOTIFICATION REPORT

Regional Case Number:

REGION-SPECIFIC		Jurisdiction: <input type="checkbox"/> EPA <input type="checkbox"/> USCG		Lead/Monitor:	CAOES No.:
Referred:		Provision ID No.:		Haz/Disp@:	
Cleanup Code: <input type="text"/>		Responsible Party=(301)	USCG=(303)	Local=(305)	Status Unknown=(307)
No Cleanup Code=()		EPA=(302)	State=(304)	Not Possible=(306)	Federal=(308)
FOLLOW-UP	Update Date: (mm/dd/yy)		Updated By:		
C. INCIDENT LOCATION	Dun & Bradstreet No.:				
F. SOURCE	Source Code:				
G. MEDIUM	Medium Code:		Threat Code(s):		
H. CAUSE	Cause Code:				
J. ACTIONS	No. of Persons Evacuated:				
M. RESPONSE AND EVALUATION	Incident Status Code: <input type="checkbox"/> Emergency <input type="checkbox"/> Time-Critical <input type="checkbox"/> Non-Time Critical (Check One) <input type="checkbox"/> No Further Action <input type="checkbox"/> Remedial Action <input type="checkbox"/> Field Simulation				
Emergency Response Activity Within 24 Hours: <input type="checkbox"/>		Emergency Response Activity Date: (mm/dd/yy)			
Responding OSC:					
Action Memo Date: (mm/dd/yy)		Action Memo Approved: <input type="checkbox"/>		POLREP Date: (mm/dd/yy)	
Release Investigation: <input type="checkbox"/>		On-Scene Monitoring: <input type="checkbox"/>		Telephone Assistance: <input type="checkbox"/>	
TDD No.:		Enforcement Activities:			
Other Follow-up Comments:					
Bob Kircher - 602-207-4147.					
1-11-93 - 1627 Tri-city landfill Mike Malone.					
flood damage. DAN MARSH.					
Bob Kircher - 602-390-7894					
- mobile phone					
2 sewage plants - City of Phoenix					
garage in Salt River - Landfills 120,000 CFS.					
NORM BURMANIK, Div. Supv. Env. Program					
- Surveying - 207-4122. mgr.					
(602) - 4147					
- Upstream dam gates wide open					
- Heavy duty water releases					
- Est. 40,000 yd ³ into River					
- 1st water disposed prior to 1980.					
- request EPA assistance by wed. 1-13-93.					

TDD number : 09-9301-0021

EPA site name: TRI-CITY LANDFILL/SALT RIVER FLOOD

SPECIFIC ELEMENTS (continued):

10. SPECIFIC ELEMENTS:

Submit POLREPS to OSC for review
Submit draft letter report to OSC
Submit final letter report to OSC

11. INTERIM DEADLINES:

01/16/93
01/22/93
01/29/93

1/13/93 TRI CITY DEBREF

1	Mike Foster	ADEQ \ OWP \ HW \ HWIU	207-4163
2	Bob Kircher	ADEQ \ OWP \ ER	207-4147
3	Dan Shane	U.S. EPA OSC	415-744-2286
4	Jerry Slusser	ADEQ / ERU	602-207-4165
5	Dale Anderson	ADEQ / Haz Wst Insp	602-207-4152
6	DAN MARSH	ADEQ / ERU	602-207-4160
7	Norm Gumenik	ADEQ / OWP	... - 4122
8	Jim Walters	ADEQ / SWU	207-4116
9	Mike Malone	ADEQ / ERU	
10	Steve Johnson	ADEQ	207-2381

11

12



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street
San Francisco, CA 94105-3901

January 20, 1993

MEMORANDUM

Subject: Helicopter survey of flooding on the Salt River

From: Daniel M. Shane, On-Scene Coordinator

To: Terry Brubaker, Chief, ERS

This report covers the observations of the OSC during a flyover of the Salt River on January 14, 1993. The flight was arranged by AZDEQ and the Huey Helicopter was provided by the Air National Guard. At 1015 hours the flight took off from Falcon Field. Jim Walters, AZDEQ Solid Waste programs, was on-board. The pilot was Dave Baker. The duration of the flight was 1 hour 45 minutes. The river was surveyed from Granite Reef Dam to Buckeye or approx. 40 air miles.

In general, the survey provided a good overall view of the flooding and damage along the Salt River. There was good visibility from the 300' cruising altitude, however it was difficult to distinguish individual objects floating down the river. The most significant problem was precisely locating drums seen along the river for ground reconnaissance purposes. Road, bridge or other landmark identifications were difficult because nobody on the crew had a decent map or knowledge of the area.

There were no oil or hazardous material emergencies requiring immediate attention. The Tri-City Landfill is a solid waste problem. There were relatively few 55-gallon drums seen in the river and no propane or gasoline tanks. There is a tremendous quantity of trash in the river.

This report will be passed on to AZDEQ/ERU for appropriate follow-up.

The following is a summary of observations (*):

Tri-City Landfill

The entire landfill was surveyed. It was verified that the area that sustained flood damage was confined to 1,000 linear feet on the southeast side of the landfill. The swift currents in the river had undercut this portion of the landfill exposing 50' - 60' shear walls of demo debris and trash. An estimated 140,000 cubic yards of trash fell into the river. Small fires and smoke plumes were visible in the shear wall near the east end

of the undercut. The smoke plumes seem to dissipate a short distance from the source. The Tribe was making good progress in constructing a rock and earthen berm out into the floodwaters. The berm was deflecting the strongest currents away from the landfill. Once completed, the berm will totally isolate the landfill from the river. The Tribe estimates two weeks to complete the project under the oversight of the U.S. Army Corps of Engineers..

Country Club Road Bridge

A large U-shaped cove just west of the bridge has trapped an enormous volume of trash. The entire U is filled with trash and other flood debris.. The cove is on the north side of the river. The source of trash is most likely the Tri-City Landfill. Future cleanup efforts should concentrate in this area.

Mill Street Bridge (new construction)

This bridge was washed-out.

Just South of I-10 Freeway

The center portion of a gravel elevator that spans the river had caved.

7th Street Bridge

A large amount of trash was hung-up on river vegetation.

North of 35th Avenue

A large number of old and rusting barrels were observed in a metal scrap yard. This area was not affected by the flooding.

Just west of 43rd Avenue Bridge

There were 4-5 drums and a small oil spill at a truck maintenance yard. There was a small cove where several drums were tipped over on the sand beach. Oil pools were visible on the beach and close to the water. An oil sheen in the water was not obvious.

West of 83rd Avenue

There were three areas along the south side of the river where a blue-colored pipeline was exposed by flood erosion. The pipeline appeared to be heavily damaged and broken in several places. There was no visible discharge and no oil sheen on the water.

91st Avenue

There were a large amounts of trash trapped on sand bars and

vegetation in this section of the river.

Goodyear Race Track

There were two roads that crossed the river in this area that were completely flooded and heavily damaged.

Road to the Town of Liberty

There appeared to be an illegal dump area near the river's edge on the south side of the river. The dump was located in a small ravine on a farm or ranch. The ravine is west of the road and a large dairy farm is to the east. The ravine was filled with landscape waste. There were an estimated 6-8 barrels dumped in the ravine.

Just East of Dysart Road

This road had been completely washed out by the floods. There were 2-3 barrels stuck on a sand bar. Dense vegetation obscured the area. The drums were painted yellow and blue. This observation was made on the return trip.

(*) Locations may not be accurate

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
POLLUTION REPORT

I. HEADING

DATE: January 22, 1993
FROM: Daniel Shane, OSC, EPA Region 9
TO: EPA Washington, DC-OERR/ERD
Jeff Zelikson, Director, HWMD
INFO: POLREP DISTRIBUTION
SUBJECT: Tri-City Landfill/Salt River Flood
POLREP: One and Final

II. BACKGROUND

Site No: 6H	Action Memo Status: N/A
Response Authority: CERCLA	Start Date: 01/12/93
State Notification: ADEQ	Demobilization Date: 01/14/93
NPL Status: Non-NPL	Completion Date: TBD
Delivery Order No: N/A	

III. SITE INFORMATION

A. Incident Category: Active Waste Management Facility

B. Site Description:

The Tri-City Landfill is a municipal landfill located on the Beeline Highway in the Salt River Indian Reservation just north of Mesa, Arizona. The landfill is owned and operated by the Salt River Pima-Maricopa County Indian Community (SRPMIC) and serves the cities of Mesa, Scottsdale and Tempe. The landfill has operated at the 250-acre site since 1972. It is suspected that hazardous wastes were probably disposed in the landfill prior to 1980.

The landfill lies in the Salt River Flood Plain and is unlined. In the winter of 1991, the U.S. Army Corps of Engineers (COE) and the Tribe conducted emergency actions to stabilize the banks in an effort to protect the landfill from future flood events. In May 1992, the COE had determined that the Tribe was in violation of Section 404 of the Clean Water Act by placing fill into waters of the U.S.. The COE has been working with the Tribe to correct violations.

Due to torrential rains in Arizona, the Salt River had reached

flood levels. At its peak, this normally dry river wash was flowing at 150,000 cfs - nearly 8 times the average high flow of the Colorado River. The river had breached it's banks and was cutting into the side of the landfill, washing waste into the river. There was a potential that hazardous wastes were being released into the river posing a serious public health hazard. Additionally, there was a potential that the fires erupting along the exposed side of the landfill were releasing toxic air contaminants. On January 12, ADEQ requested immediate EPA assistance in assessing the hazards.

IV. RESPONSE INFORMATION

A. Planned Response Actions

The response actions would consist of on-site assessment activities including visual inspection of eroded landfill areas and documenting evidence of buried hazardous wastes in these areas. Air monitoring and sample collection for field characterization and laboratory analysis would be conducted, if necessary.

B. Situation

1. Current situation

O/S Personnel:

OSC	-	Daniel Shane
TAT	-	Dave Tomlinson and Paul Martin
PST	-	Randy Ogrydziak
ADEQ	-	Jerry Slusser and Jim Walters
SRPMIC	-	Chuck Gabriel
COE	-	Sam Arrowood

January 12, 1993:

At 1840 hours, 1-EPA OSC, 2-Technical Assistance Team (TAT) members (TAT) and 1-U.S Coast Guard Pacific Strike Team Member (PST) mobilized to Mesa, Arizona.

January 13, 1993:

At 0830 hours, the EPA response team was briefed by ADEQ/ERU staff. At 1045 hours, the EPA response team arrived at the Tri-City Landfill. The eroded side of the landfill was surveyed for the presence of hazardous materials. It was estimated that 1,000 linear feet on the southeast side of the landfill sustained significant flood damage. The portion of the landfill that had been washed into the river was approximately 1,000 feet (length) x 75 feet (width). This exposed a shear wall of waste that was

50 - 60 feet in vertical height at the rivers edge. An estimated 140,000 cubic yards of waste washed into the river. Small fires and smoke plumes were visible in the shear wall near the upstream end of the undercut. The smoke plumes seem to dissipate a short distance from the source.

During the survey, no refuse that resembled hazardous materials, industrial waste or household garbage was detected in the exposed areas at the edge of the landfill. The waste materials were primarily building and landscape debris, wood, stumps, concrete, pipe, cardboard, paper and plastic. There was no evidence of hazardous substances such as drums, containers, sludges, leachates, oil sheens or discolored soils. According to the landfill operator, Chuck Gabriel, this portion of the landfill contained building and landscape debris deposited in 1985-1986. The older burial cells (1972-1980) were located in upland areas away from the river. Mr. Gabriel had no maps or records that showed the locations of the old burial cells.

Air monitoring with a PID of smoke caused by burning debris was conducted by TAT. The results of the monitoring indicated that the smoke was not a threat to the community. Video documentation was provided by PST.

The Tribe was constructing a rock rap-wall into the river to both divert the flow of the river away from the landfill and shore-up the toe of the landfill. The COE was on-scene monitoring the construction activities. At 1400 hours, the response team concluded the assessment and departed the site.

At 1628 hours, OSC Shane debriefed ADEQ .

January 14, 1993:

OSC Shane conducted an air survey of the Salt River. The flight was arranged by ADEQ and the Huey Helicopter was provided by the Air National Guard. At 1015 hours, the OSC and Jim Walters of ADEQ departed Falcon Field. During the 1 hour 45 minute flight the river was surveyed from Granite Reef Dam to Buckeye. Flood damage areas included the Tri-City Landfill, washed-out bridges and roads, gravel elevators, feedlots, sewage plants, pipelines, and housing near the eroded banks of the river. There were no oil or hazardous material problems requiring immediate attention. The Tri-City Landfill is a solid waste problem. Only three 55-gallon drums were sighted in the river, trapped on a sand bar. There was a tremendous quantity of trash in the river.

2. Response actions to date

The Tribe was making good progress in constructing a rock rap-wall into the flood waters. The wall was deflecting the strong

currents away from the landfill. This has significantly reduced the rate of erosion. The rock wall will run parallel to the landfill and tie into an existing berm downstream. Once completed, the landfill will be isolated from the river and backfilled behind the rock wall. The landfill operator estimated 2 weeks to complete the actions. The COE has approved the actions and, as the lead agency, will continue to monitor the rock wall construction and other bank protection activities.

C. Next Steps

There is a potential for future ERS responses to problems caused by the flooding. As an example, ADEQ may request assistance in the event that hazardous material problems are discovered in the river after the flood waters recede. Also, the All American Pipeline Company has crude oil pipelines that cross rivers in areas that are vulnerable to flood damage.

V. STATUS

Case Pends. OSC Shane. Tele: (415) 744-2286



ecology and environment, inc.

160 SPEAR STREET, SAN FRANCISCO, CALIFORNIA 94105, TEL. 415/777-2811

International Specialists in the Environment

January 29, 1993

U.S. Environmental Protection Agency
Emergency Response Section (H-8-3)
75 Hawthorne Street
San Francisco, CA 94105

TAT#: 099301-T-002
TDD#: T09-9301-008
PAN#: EAZ-0129-SAA

Attention: William E. Lewis, Deputy Project Officer

Subject: TRI-CITY LANDFILL/SALT RIVER FLOOD, MESA, ARIZONA

INTRODUCTION

This letter report presents a summary of an emergency response action at the Tri-City Landfill (TCL) in Mesa, Arizona. On January 12, 1993 the U. S. Environmental Protection Agency (EPA) tasked their Technical Assistance Team (TAT) to respond to flood waters eroding into the TCL. State and local officials reported to the EPA that hazardous vapors, fires, explosions and the washing away of hazardous material from the landfill was occurring due to flooding of the Salt river. The EPA On-Scene Coordinator (OSC) D. Shane and TAT members D. Tomlinson and P. Martin conducted a site visit on January 13, 1993. A helicopter overflight of the site was also conducted by OSC D. Shane on January 14, 1993.

BACKGROUND INFORMATION

The Salt River Pima-Maricopa Indian Community (SRPMIC) owns and operates the TCL, a Class III landfill currently serving the cities of Mesa and Scottsdale. The facility has been in commercial use since the early 1970s and is located along State Route 87 between Oak Street and Horne Road (see Figure 1). The 250 acre landfill is situated in a flood plain and is bordered on the southeast side by the Salt river.

The landfill was subjected to erosion of it's earthen berm several times in the past most recently in January, 1992. Due to the eroding of the landfill by flood episodes the SRPMIC has proposed several remediation measures. The remediation measures include the rerouting and channeling of the river bed and landfill bank protection. It was estimated in a July 29, 1992 document produced by SRPMIC that the landfill had six months of operations remaining before closure plans are implemented. SRPMIC has submitted remediation proposals to State of Arizona officials and U. S. Corps of Engineers for approval.

ASSESSMENT FINDINGS

The OSC and TAT met with Arizona Department of Environmental Quality (AzDEQ) officials Mike Malone and Jerry Slusser and U. S. Coast Guard Pacarea Strike Team (PST) member Randal Ogrydziak on the morning of January 13, 1993 to be briefed on the situation at the TCL. At that time AzDEQ Malone stated there had not been any evidence of gaseous or hazardous material released as a result of flooding. It was reported at this time by AzDEQ that approximately 280,000 cubic yards of landfill material had been eroded into the Salt river.

Flow rates of the Salt river were reported by Maricopa county officials to have been at a maximum of 124,000 cubic feet per second on January 7-8, 1993. The flow rate on January 13, 1993 was estimated to be 40,000 cubic feet per second. The affected area of the TCL was in the northeastern portion of the landfill, (see Figure 1 and Photo 1). The impacted area of the landfill was approximately 1000 feet long by 75 feet into the landfill which is about 50 feet in thickness. Total estimated volume eroded was 140,000 cubic yards, (see Figure 2 and Photos 2 & 3).

At 1045 hours the OSC, TAT, PST and DEQ member Slusser arrived at the TCL. Charles Gabriel, Landfill Supervisor for SRPMIC led a reconnaissance visit to the portion of the landfill affected by the flooding at the northeast boundary of the landfill. The group first surveyed the southern portion of the affected area, (see Figure 2 and Photo 4). Mr. Gabriel reported that debris exposed by the flooding had been buried in 1985 and were made up of mostly construction and landscaping debris. Binoculars were utilized to survey the face of the landfill from a safe vantage point and no containers of any type were observed from this area. Exposed material appeared to be made up primarily of wood, stumps, branches, plastic sheeting, and concrete confirming Mr. Gabriel's report, (see Photo 5).

At 1200 hours the survey group arrived at the northern portion of the effected area. Survey of the landfill face in this area showed that eroded material was of the same composition as the southern portion. Binoculars were also used to survey the face from this position and no refuse that resembled hazardous waste or municipal waste was observed, (see Photo 6).

Emergency operations to stabilize the landfill face were being conducted in this area by SRPMIC. SRPMIC hired approximately 20-25 trucks to haul large stones from a SRPMIC quarry to build a riprap to protect the toe of the effected landfill, (see Photo 7). Two Caterpillar D-8 bulldozers and one Caterpillar 992C front-end loader were being utilized to build the riprap into the Salt river, (see Photo 8). The riprap will run parallel to the landfill and will join an existing rock berm to the south. Additional rock was to be backfilled between the riprap and the landfill to further isolate the landfill from the river. SRPMIC estimated that completion of the riprap barrier would occur by January 27, 1993. Oversight of construction is being conducted by a Maricopa County Engineer.

During the survey several small debris fires were observed on the landfill face, (see Photo 9). TAT utilized a Thermo Environmental Instrument Inc., photoionization detector (PID) model 580B to conduct downwind air monitoring of the smoke plumes. PID readings were 4, 1, & 0 ppm above background at 50, 250 & 450 feet downwind respectively.

OSC D. Shane met with State of Arizona DEQ officials in the late afternoon, January 13, 1993. Issues covered during the meeting included:

- 1) That no refuse resembling hazardous waste was observed at the landfill.
- 2) That the area being eroded by the Salt river is composed of building and landscaping debris.
- 3) That the request by AzDEQ for EPA to sample the face of the landfill would be dangerous and that visual inspection of the face did not warrant sampling.
- 4) That sampling of the Salt river would not benefit assessment or cleanup activities.
- 5) Material which may be hazardous, pre-1980, is located near the office, which is approximately 1000-1500 feet from the river and several thousand feet away from the effected area, (see Figure 1).

On January 14, 1993 OSC D. Shane conducted a helicopter flyover of the site with AzDEQ personnel J. Walters. The cruising altitude was approximately 300 feet, allowing for good visibility. During the flyover it was found that the smoke plume caused by the debris fires at the landfill seemed to dissipate a short distance from the source. Good progress was being made on the riprap construction by SRPMIC.

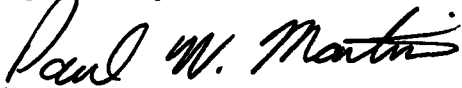
Besides the flood damage to the Tri-City landfill OSC D. Shane reported that he observed flood damage to gravel elevators, feedlots, sewage plants, pipelines, washed-out bridges and roads, and housing near the river. He also sighted three 55-gallon drums on a sand bar in the river downstream of the landfill. A tremendous quantity of trash was observed in the river, not all of which was thought to be associated with the Tri-City Landfill.

CONCLUSION

The initially reported hazardous wastes being eroded into the river were not observed. Landfill material impacted by flood waters appear to made up of mostly building and landscaping debris. No refuse that resembled hazardous waste or municipal waste was observed at the landfill. Construction of the riprap by SRPMIC appears to have stabilize the situation.

This letter report concludes TAT's work as outlined in the Technical Directive Document. If you have any further question regarding this report, please do not hesitate to contact this office.

Respectfully submitted,



Paul Martin
Technical Assistance Team Member

cc: Dan Shane, OSC
File

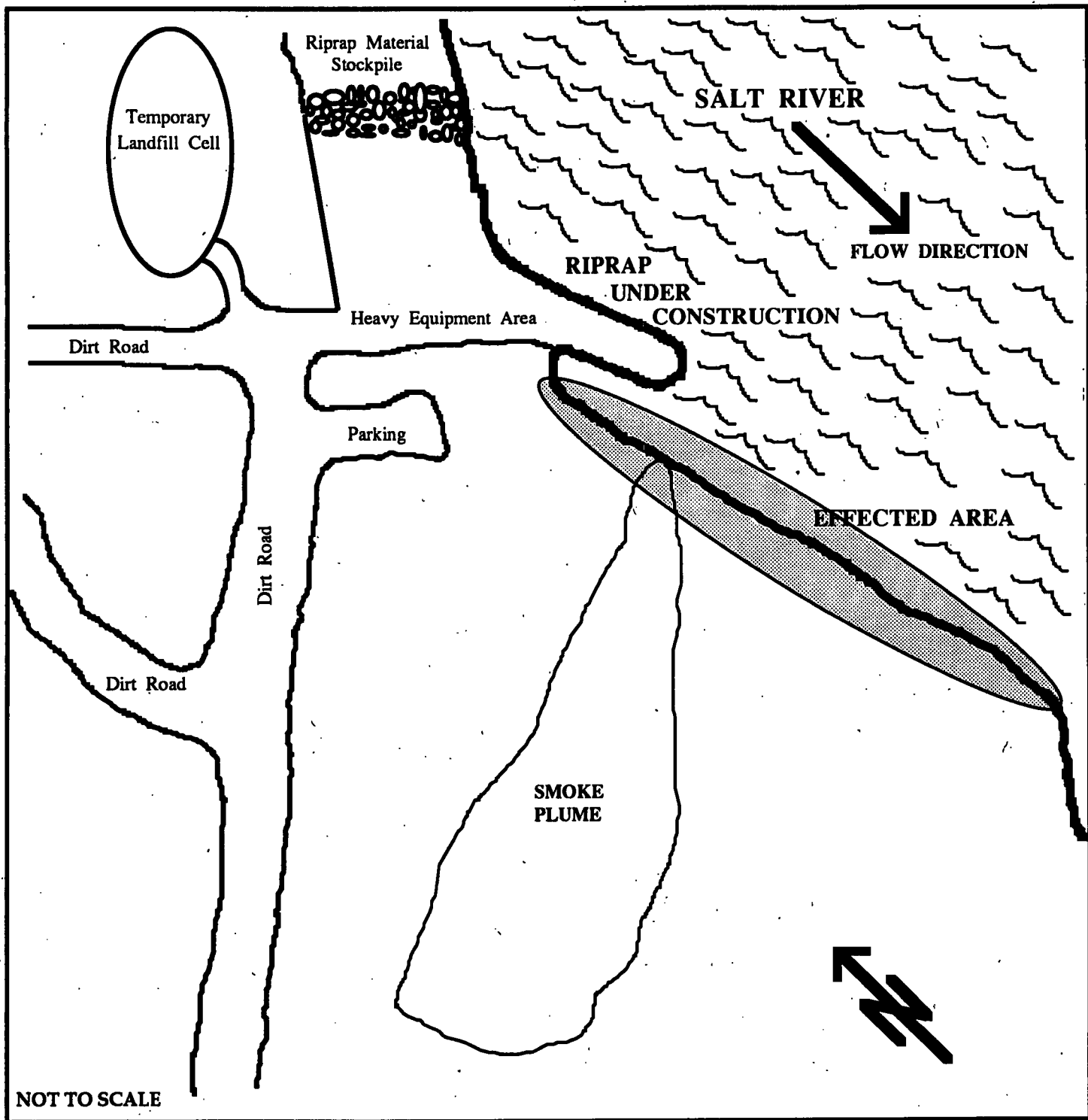


Figure 2

**SCHEMATIC DIAGRAM OF
AFFECTED PORTION OF LANDFILL
TRI-CITY LANDFILL/SALT RIVER FLOOD**

Mesa, Arizona

ECOLOGY AND ENVIRONMENT, INC.
Technical Assistance Team

Tri-City Landfill/Salt River Flood, Mesa, Arizona

TDD: T09-9301-008
Photographer: D. Shane

PAN: EAZ-0129-SA
Date: 1/14/93



PHOTO 1

Looking north upstream at affected area of the Tri-City Landfill

ECOLOGY AND ENVIRONMENT, INC.
Technical Assistance Team

Tri-City Landfill/Salt River Flood, Mesa, Arizona

TDD: T09-9301-008
Photographer: D. Shane

PAN: EAZ-0129-SA
Date: 1/14/93



PHOTO 2

Looking southwest at affected face of landfill

ECOLOGY AND ENVIRONMENT, INC.
Technical Assistance Team

Tri-City Landfill/Salt River Flood, Mesa, Arizona

TDD: T09-9301-008
Photographer: P. Martin

PAN: EAZ-0129-SA
Date: 1/13/93



PHOTO 3

Looking north at affected face of landfill

ECOLOGY AND ENVIRONMENT, INC.
Technical Assistance Team

Tri-City Landfill/Salt River Flood, Mesa, Arizona

TDD: T09-9301-008
Photographer: P. Martin

PAN: EAZ-0129-SA
Date: 1/13/93



PHOTO 4

Flooded Salt River with landfill on the right

ECOLOGY AND ENVIRONMENT, INC.
Technical Assistance Team

Tri-City Landfill/Salt River Flood, Mesa, Arizona

TDD: T09-9301-008
Photographer: P. Martin

PAN: EAZ-0129-SA
Date: 1/13/93



PHOTO 5

Exposed debris at south portion of affected area

ECOLOGY AND ENVIRONMENT, INC.
Technical Assistance Team

Tri-City Landfill/Salt River Flood, Mesa, Arizona

TDD: T09-9301-008
Photographer: P. Martin

PAN: EAZ-0129-SA
Date: 1/13/93



PHOTO 6

Exposed debris at northern portion of affected landfill

ECOLOGY AND ENVIRONMENT, INC.
Technical Assistance Team

Tri-City Landfill/Salt River Flood, Mesa, Arizona

TDD: T09-9301-008
Photographer: P. Martin

PAN: EAZ-0129-SA
Date: 1/13/93



PHOTO 7

Haul trucks utilized for riprap construction by SRPMIC

ECOLOGY AND ENVIRONMENT, INC.
Technical Assistance Team

Tri-City Landfill/Salt River Flood, Mesa, Arizona

TDD: T09-9301-008
Photographer: P. Martin

PAN: EAZ-0129-SA
Date: 1/13/93



PHOTO 8

D-8 bulldozers utilized for riprap construction by SRPMIC

ECOLOGY AND ENVIRONMENT, INC.
Technical Assistance Team

Tri-City Landfill/Salt River Flood, Mesa, Arizona

TDD: T09-9301-008
Photographer: P. Martin

PAN: EAZ-0129-SA
Date: 1/13/93



PHOTO 9

Debris fires at northern portion of affected area

U.S. Department
of Transportation

United States
Coast Guard



Commanding Officer
USCG Pacific Strike Team

Hangar 2, Hamilton Field
Novato, CA 94949-5082
Staff Symbol:
Phone: (415)883-3311

16465


FEB 22 1993

Mr. Dan Shane
U.S. Environmental Protection Agency
Emergency Response Section H-8-3
75 Hawthorne Street, 8th Floor
San Francisco, CA 94501

Dear Mr. Shane:

Enclosed is a summary of activities carried out by the Pacific Strike Team during the response to the Salt River Flood in Mesa, Arizona from 12 to 14 January 1993.

I appreciate the opportunity for Strike Team involvement in this response. Please contact me if you need any additional information concerning our activities during this incident. I look forward to working with you again in the future.


H. HENDERSON
Commander, U.S. Coast Guard
Commanding Officer
Pacific Strike Team - NSF

Encl: (1) PST Incident Summary Report; Salt River Flood,
Mesa, AZ, (PST CASE #012-93)

Copy: Commandant (G-MEP)
NSFCC
Atlantic Strike Team
Gulf Strike Team
Marine Safety Laboratory

PACIFIC STRIKE TEAM - NSF
Incident Summary Report

SALT RIVER FLOOD
PIMA-MARICOPA INDIAN LANDFILL - MESA, ARIZONA
12 - 14 January 1993

A. SITE HISTORY

The Salt River Pima-Maricopa Indian Community (SRPMIC) owns and operates the Tri-City Landfill (TCL), a Class III landfill currently serving the cities of Mesa and Scottsdale, Arizona. The facility has been in commercial use since the early 1970s and is located along State Route 87 between Oak Street and Horne Road. The 250 acre landfill is situated in a flood plain and is bordered on the southeast side by the Salt River.

The landfill was subjected to erosion of it's earthen berm several times in the past with the most recent episode occurring in January, 1992. Due to erosion of the landfill by flood waters the SRPMIC has proposed several remediation measures. Remediation was to include rerouting and channeling of the river bed and landfill bank protection measures. It was estimated in a July 29, 1992 document produced by SRPMIC that the landfill could operate through February of 1993 before closure plans were implemented. SRPMIC had submitted remediation proposals to State of Arizona officials and U. S. Corps of Engineers for approval.

B. SUMMARY OF STRIKE TEAM ACTIVITIES:

The following is a summary of activities involving Pacific Strike Team personnel and equipment during the response to the Salt River Flood in Phoenix, Arizona (Pima-Maricopa Indian Landfill) from 12 to 14 January 1993. A detailed chronology has not been provided but is available from this unit if required.

1. 01/12/93: At 1000, the Pacific Strike Team (PST) received notification from EPA Region IX OSC Dan Shane, that the Tri-City Landfill was being eroded by flood waters from the Salt River in Mesa, Arizona. The Arizona Department of Environmental Quality (ADEQ) reported to the EPA that hazardous vapors, fires, explosions and the washing away of hazardous material was occurring in conjunction with the flooding.

At 1530, LTJG Ogrydziak departed from en route to Phoenix, Arizona.

2. 01/13/93: At 0830, LTJG Ogrydziak attended a meeting at the ADEQ with EPA Region IX OSC Dan Shane, Technical Assistance Team (TAT) member Paul Martin, and ADEQ officials Mike Malone and Jerry Slusser. Mike Malone stated there had not been any

PACIFIC STRIKE TEAM - NSF
Incident Summary Report

SALT RIVER FLOOD
PIMA-MARICOPA INDIAN LANDFILL - MESA, ARIZONA
12 - 14 JANUARY 1993

evidence of gaseous or hazardous materials being released as a result of flooding. ADEQ reported at this time that approximately 280,000 cubic yards of landfill material had been eroded into the Salt River.

At 1030 EPA, PST, TAT, and ADEQ officials arrived at TCL. Charles Gabriel, Landfill Supervisor for SRPMIC led a survey team to the portion of the landfill affected by the flood waters. The impacted area of the landfill was approximately 1000 feet long, by 75 feet wide, by 50 feet thick. Mr. Gabriel reported that debris exposed by the flooding had been buried in 1985 and largely consisted of construction and landscaping debris. Exposed material primarily appeared to be wood, stumps, branches, plastic sheeting, and concrete. Also seen during the survey were several small debris fires burning on the landfill face.

Emergency operations to stabilize the landfill face were being conducted at this time by SRPMIC. SRPMIC hired approximately 20-25 trucks to haul large stones from a SRPMIC quarry to build a rip-rap wall to protect the toe of the affected landfill. The wall was to run parallel to the landfill and join an existing rock berm to the south of the affected area. Additional rock was to be backfilled between the wall and the landfill to further isolate the landfill from the river. SRPIC estimated that the rip-rap wall would be completed by January 27, 1993. Oversight of construction was to be provided by a Maricopa County Engineer.

EPA OSC Dan Shane met with ADEQ officials in the late afternoon and covered the following issues:

- a. No refuse resembling hazardous waste was observed at the landfill.
- b. The area being eroded by the Salt River appeared to be composed of building and landscaping debris rather than hazardous materials.
- c. Due to the physical hazards associated with sampling from the landfill face combined with observations made during the survey, ADEQ's request for EPA to sample the face of the landfill was rejected. It was determined that sampling of the Salt River would not benefit assessment or cleanup activities.

PACIFIC STRIKE TEAM - NSF
Incident Summary Report

SALT RIVER FLOOD
PIMA-MARICOPA Indian LANDFILL -LMESA, ARIZONA
12 - 14 JANUARY 1993

3. 01/14/93: At 1100, LTJG Ogrydziak departed from Phoenix, Arizona for PST.

C. EQUIPMENT UTILIZED:

1. The following Pacific Strike Team equipment was utilized during the response:

a. Camera kit

D. EFFECTIVENESS OF STRIKE TEAM UTILIZATION.

PST was effectively utilized to monitor the safety of operations, provide technical assistance, and assist with resource documentation.

E. PROBLEMS ENCOUNTERED DURING THE RESPONSE.

None

F. LESSONS LEARNED.

None

G. EXPENSES INCURRED:

No out-of-pocket reimbursable expenses were incurred and no cost documentation will be submitted by PST.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street

San Francisco, CA 94105-3901

February 23, 1993

MEMORANDUM

SUBJECT: TBD sections of draft EPA Region IX report to FEMA 977-DR-AZ

FROM: Al Fischer (H-1-2) (4-2207)

TO: Dan Shane (H-8-3)

These are the draft reports which I must mail to FEMA Disaster Field Office in Phoenix, AZ. today. I left Recommended Mitigation Measures space (TBD) at the end of the Gila River and the Salt River response reports-- for your input.

As you can see, these are almost totally culled from your reports.

TRI-CITIES LANDFILL

PROBLEM	TOOLS & OPTIONS	AGENCIES
1. TRASH DISCHARGED TO RIVER; INSTABILITY OF LANDFILL a. Bank erosion, trash release, ongoing combustion b. Bank reinforcement needed to support RCRA 258 cap for closure	*COE litigation option (404) *RCRA 7003 or CWA 402/309/504 (Imminent & Substantial) *Tribe constructed temporary berm; has lead to "fix" site	*Tribe *COE
2. CLEAN-UP OF ROTTING GARBAGE ALONG SALT RIVER a. State/local volunteer effort led by DEQ will constitute local match b. FEMA not leading; defines itself as funding source only c. Uncertainty re: type of state match needed (\$?)	*FEMA funding: 75% federal, 15% state, 10% local *RCRA/CWA enforcement option (litigation only) not effective tool	*FEMA *DEQ, cities, tribe *Citizen volunteers
3. UNCERTAIN INTENT RE: CLOSURE OF "OLD" LANDFILL a. Limited groundwater contamination data b. uncontrolled methane/combustion c. Lack of capacity, run-on/run-off controls	*Option of CERCLA ESI to obtain groundwater info; NPL listing not ideal closure tool *Use COE "enforcement" to ensure adequate, timely closure	*Tribe *COE *EPA
4. NEWEST (PRE 10/93) LANDFILL CELL NOW BEING OPERATED a. Unlined pit accepting municipal solid waste. No design criteria apply until 10/93. b. Opportunity to repeat history if flooded c. Review process for any post-10/93 landfill operations	*Citizen suit settlement & potential threat of new suits *Any waste added after 10/93 triggers RCRA 258 requirements for closure & post-closure *RCRA program approval or disapproval	*Tribe (operations) *EPA (enforces until Tribe's program approval)
5. SAND & GRAVEL MINING IN RIVER a. Were never permitted, washed away by floods b. New operations must not alter path of river into site	*COE permit actions (CWA 404) required for new S&G mining	*COE

DS
 1/24/93
 3.1.93

Notes

1. Enforcement: RCRA and CWA enforcement options are limited, because
 - a. need "imminent and substantial endangerment"; reached in late Feb again with info on medical waste and high flows
 - 2 b) RCRA 7003 administrative enforcement option against Tribe/generators/transporters
 - c. CWA 504 referral is questionable with DOJ, given COE and EPA Tribal policies and pursuing cities is not recommended. CWA 402 (stormwater) administrative enforcement option would yield a poll prev plan (re future discharges) and individual permit, also a time-consuming mechanism to reach the type of relief we seek (assuming we can require flood-protection measures via 402; we're unsure of this).
 - d. Info request letter issued will provide waste stream info and limited financial data
 - e. Most direct option would be a State nuisance action, somewhat like the citizen suit settled/filed earlier this year, although question remains of whether sovereign immunity is waived in RCRA (in link with municipalities).
2. NPL listing: does not seem to provide a solution to the 5 problems noted
 - a. would be questionable for listing due to lack of hazardous substances
 - b. would place Tribe as lead for response (no different than present)
 - c. unclear whether Tribe could access Fund in lieu of its own assets
3. RCRA Solid Waste Program: long-term role unavoidable, due to
 - a. possibility of Tribe requesting program approval
 - b. EPA authority over post-Oct '93 actions at site
4. Corps of Engineers: we could push them to
 - a. formalize their current informal enf. agreement with the Tribe (but cycles back to the litigation limitation noted above)
 - b. provide closer scrutiny of current site actions (both closure and new cell operations), monitoring the informal deadlines/schedule they established with the Tribe
 - c. settle the existing CWA 404 violation with a formal commitment to closure et al; impose an admin penalty with approval from their HQ. However, this is an indirect link to the problems at the site we are all trying to address.

Loose ends

1. Oversight and monitoring of the "new" cell now in operation: neither COE nor EPA have jurisdiction, Tribe is responsible, but this will not prevent problem from recurring. Should anyone other than the Tribe take on an oversight role and provide tech assistance to Tribe?
2. Groundwater contamination: EPA had installed 3 wells in the mid-1980s, and detected contaminants, but the info is not definitive. Should we, as ADEQ wishes, gather more data via, for example, a Superfund Expanded Site Investigation? (Normally, ESIs are intended to gather data for NPL listing).

• Ask first
• If no,
consider
RCRA
order
or ATF

3. River clean-up: ADEQ, cities and tribe are assembling a citizens volunteer effort for "The Great Salt River Clean-up". The local effort will constitute the local 10% match requirement of FEMA. One day of citizens' effort along 100 miles of riverbank is unlikely to solve the total problem. Shall we approach ADEQ (Fox) and ask if FEMA needs any prodding to take a leadership role in trash removal?

Strategy options:


1. Confirm evidence of med waste release from site (or sufficient link for our comfort), and prepare RCRA 7003 action against tribe. Option to combine RCRA 7003 with CWA 402, to add stormwater permit/pollution prevention plan feature to overall RCRA action.
2. Based on responses to CERCLA 104/CWA 308 letter, assemble environmental and financial data, share with ADEQ and determine if they wish to sue.

Team:

OEA: Steve Etsitty	x1593
ORC: Allyn Stern	x1376
Linda Wandres	x1359
WMD: Ken Greenberg	x1905
Clyde Morris	x1962
Alexis Strauss	x1861
HWMD: Lisa Nelson	x2347
Dan Shane	x2286
Jim Vreeland	x2096
Jeff Scott	x2091
<i>Michael Feeley</i>	

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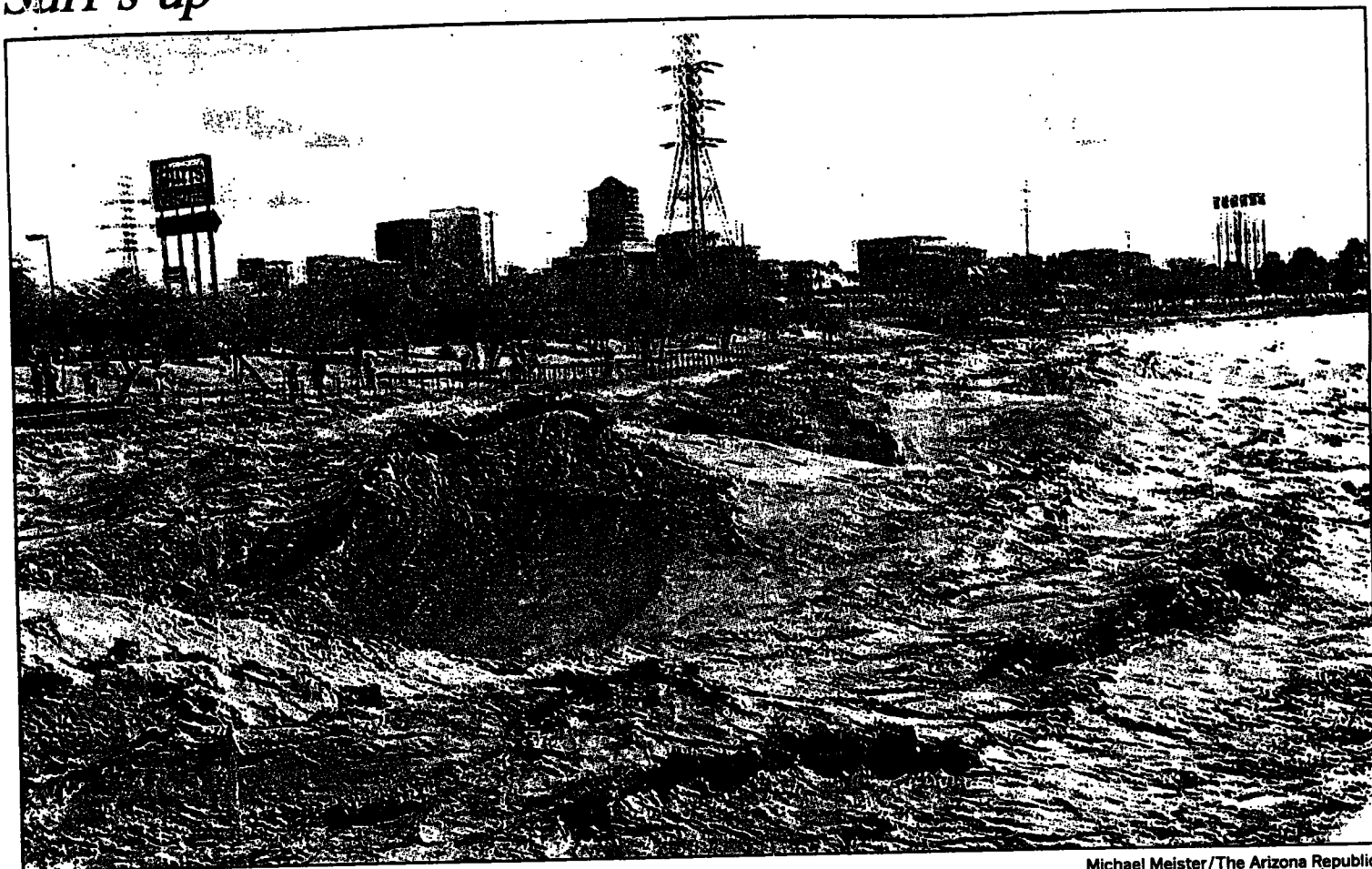
To	Name: BOB kirchen		
	Organization: ADEQ/ERU		
	Mail Stop:		
	FAX No.:	Area Code 602	Number 207-4236
	Verification No.:	Area Code	Number

From	Name: DAN SHANE		
	 U.S. Environmental Protection Region 9, Field Operations, HWMD, \$Fund 75 Hawthorne Street San Francisco, California 94105		
	Division / Branch (mail stop):		
	Phone No.:	Area Code 415	Number
	Fax No.:	Area Code 415	Number 744-1916

Pages	(Including cover) 8
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Subject	TR: -City Landfill / SALT River Flood
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Note	FYI -
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Michael Meister/The Arizona Republic

What looks like choppy ocean surf is actually river water flowing near Santa Cruz River Park in Tucson. Increased water releases have

caused the closing of many overpasses and bridges over the Santa Cruz. The river's level was said to be close to 18 feet on Tuesday.

Judge asked to shut tribal landfill

By Steve Yozwiak
The Arizona Republic

1/20/93

Environmentalists on Tuesday asked a federal judge in Phoenix to close the Indian-run Tri-City Landfill, from which truckloads of debris have been swept down the Salt River for two weeks.

No decision was made on the request by Don't Waste Arizona and the Southwest Environmental Project for a temporary restraining order to shut down the landfill north of Mesa run by the Salt River Pima-Maricopa Indian Community.

Lawyers for the environmentalists, the tribe and the three cities that have used the landfill for the past 20 years — Scottsdale, Mesa and Tempe — will be back before U.S. District Judge Earl Carroll today, perhaps with an agreement on how the landfill should be run.

Meanwhile, a state legislator proposed a law

ANOTHER FLOOD COST: Rescue efforts during flooding can cost \$1,000 an hour, B4

to prevent cities from dumping at Tri-City, and state Attorney General Grant Woods said he will file a lawsuit against the tribe and the cities that use the landfill if they renege on their agreement to clean up the landfill and river.

Scottsdale City Manager Dick Bowers said a decision Friday to route Scottsdale's municipal waste, 400 tons daily, to Maricopa County's Cave Creek Landfill is only temporary.

Bowers said Scottsdale is committed to working with the tribe to close the existing landfill, clean up the debris that has washed into the Salt River, and open a landfill on the reservation that will meet federal regulations.

A new federal law that takes effect Oct. 9

requires landfills to be out of flood plains and fully lined to prevent contamination of underground drinking water.

Environmentalists have said they want the landfill closed immediately, for it to stay closed, for landfill portions that form the banks of the Salt River to be removed from the flood plain, and for the tribe and cities that have used it to be fined for running an open dump.

Bowers said tribal and city representatives will meet today with the Maricopa County Flood Control District to settle on plans for the cleanup.

Steve Brittle, president of Don't Waste Arizona, said he hopes the cleanup agreements hold fast.

"They were negotiating last year, and we can see what that resulted in," Brittle said of the breached landfill, which dumped an

next page

estimated 3,500 garbage trucks worth of debris into the Salt River during recent flooding.

"I certainly hope this isn't a substitute for moving the landfill out of the path of the river," Brittle said.

Tempe abandoned Tri-City last year in the wake of relatively minor flooding. Mesa is the only city still sending waste there. But Scottsdale could resume.

"If we find it's acceptable to go back to that landfill, we'll do it," said Bowers, adding that it represents the "best financial arrangement" for Scottsdale.

House Environment Chairwoman Sue Grace, a Phoenix Republican, will hear a bill before her committee Thursday that would prevent cities from dumping garbage at Tri-City.

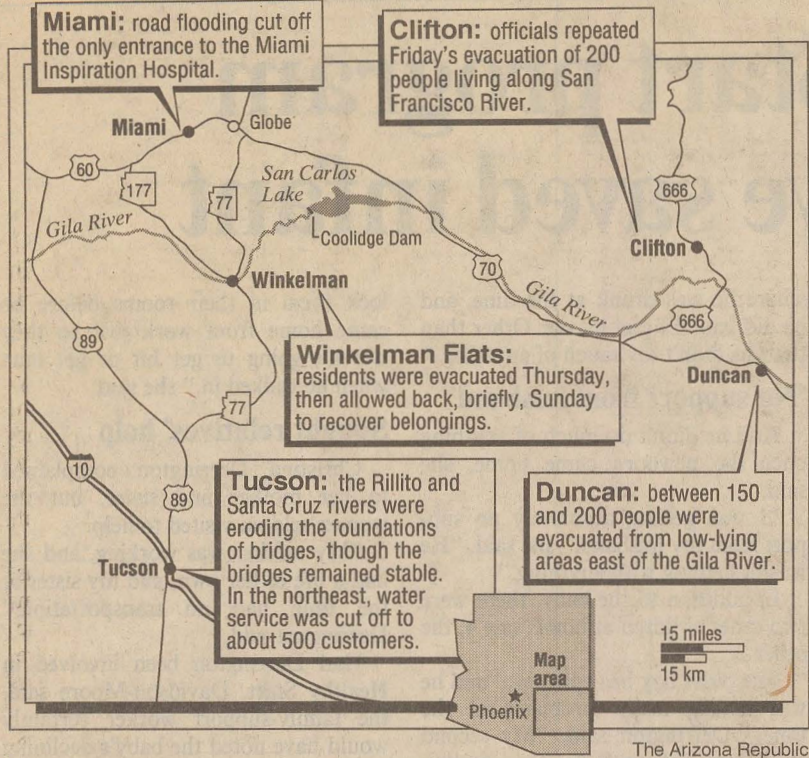
State law forbids landfills in riverbeds, and landfills that line the Salt River through the Valley have been closed and sealed off from the river. But the state has no jurisdiction over Indian lands. The state does, however, have jurisdiction over cities.

"Everybody who has dumped there is going to be responsible," Grace said of an amendment she plans to offer governing who will pay to clean up the river through Tempe, Phoenix and beyond.

Woods said he is waiting for various parties to come to some agreement, then he will sue anyone who violates that agreement.

"My position is that this should have happened last time (when the landfill was partly eroded last year)," Woods said. "I'm ready to sue everyone involved — the tribe, the cities and anyone else — to make sure this doesn't happen again."

"The landfill should be closed today. The cities had no business dumping there."



The Arizona Republic

Flooded-out residents do their best

Some seek high ground, relatives

By Charles Kelly and Fred Smith
The Arizona Republic

Dozens of residents of Winkelman's Flats stood on a hill north of their cottonwood-shaded community Monday, watching floodwaters wash pieces of their lives away.

"You pack up what you can, photographs and old memorabilia, but you can't take everything with you," said Doris White, 51, who has lived for 21 years in The Flats, on the southeastern edge of the mining towns of Hayden and Winkelman.

"This time, we put a bunch of stuff in the attic, but I don't think that's going to be high enough."

As White and her neighbors watched, the muddy waters of the Gila River rose and spread, driven by nearly record releases from Coolidge Dam, about 25 miles northeast.

Residents of The Flats were the latest to suffer flood problems that are shifting from the central and northern parts of the state to its southern regions.

Snow levels have dropped in the northern part of the state, resulting in less runoff, but precipitation Sunday cut a swath south, said Craig Ellis of the National Weather Service in Phoenix.

"More of the rain or snow or whatever that fell was in the southern half of the state this time," Ellis said.

Although flooding plagued the state's outlying areas, Maricopa County took a breather from storms. But more are on the way.

'In a catch-up day'

The Salt River below Granite Reef Diversion Dam was running from 58,000 to 62,000 cubic feet per second Monday. That had been stepped up from 37,000 cfs Sunday, but was far below the peak of 124,000 cfs late Friday.

Releases from the dam were increased by the Salt River Project in order to handle additional rainfall on the watershed and to open up capacity for rain expected today and Wednesday. One to 1½ inches are forecast.

"We're kind of in a catch-up day today," SRP spokesman John Egan said.

Meanwhile, state and county highway officials said it was too early to determine the cost of repairing storm-damaged roads and highways.

Phoenix Transportation Director Jim Madison said damage to city streets has been "very, very minor."

In eastern and southeastern Arizona, the water caused bigger headaches.

The Winkelman Flats residents were seeing the culmination of a cat-and-mouse game with nature Monday. They had been evacuated Thursday, then allowed back in Sunday for four hours to remove their belongings.

Most of those displaced were staying with friends and relatives. One couple, James and Gale White, and their 7-month-old daughter, Sabriena, were camping in the back of their pickup truck.

"It's not very comfortable, but at least we've got some privacy," Gale White said. "Our house is out. It's got 4 feet of water in it."

A shelter had been set up at Hayden High School. Volunteers organized by the Red Cross were providing three meals a day and had gathered clothes and bedding for evacuees.

Meanwhile, in Duncan, 150 to 200 people were evacuated from low-lying areas east of the swollen Gila River, Town Manager Ron Willis said. Sandbag barriers were being built against floodwaters, he said.

In Clifton, officials repeated an evacuation operation carried out Friday, when 200 people living along the San Francisco River were moved out of the floodplain, but moved back in when the river stayed within its banks.

People 'forget' river

Clifton Mayor David McCullar said that despite the severe flooding of the river in 1983, some locals opposed flood-control measures such as relocation of residents and construction of a levy along the river.

"People tend to forget real quick, and then they're reminded of that river again," McCullar said.

In the Miami area, flooding cut off the only entrance to the Miami-Inspiration Hospital, said Cliff Olsson, the hospital's chief financial officer.

Starting early Monday, hospital employees and patients who parked at a nearby shopping center were shuttled through the waters in two large Arizona National Guard trucks, according to Lt. Eileen K. Bienz, a public-affairs officer for the Guard.

The Tucson area's flood-swollen Rillito and Santa Cruz rivers were eroding the foundations of bridges, although the bridges themselves remained stable, said a spokeswoman for the Pima County Department of Transportation and Flood Control.

A waterline washed out early Monday in the northeastern part of Tucson, causing service to be cut off to about 500 customers, but full service was scheduled to be restored by Monday evening, said Bob Brice, assistant director of the Tucson Water Department.

Meanwhile, flooding was starting to ease in the northeast. North of Winslow, the Little Colorado River was back within its banks, and the 200 residents of the flood-ravaged Ames Acres subdivision, twice evacuated, were allowed to return.

'Things looking a lot better'

"The people of Ames Acres may not agree, but things are looking a lot better," said Capt. Larry Baldwin, acting chief of the Winslow Police Department.

The river ripped a 200-foot gash Friday in an earthen dike, allowing water to rush into the 55-home subdivision about 1½ miles north of Winslow. Water there was as deep as 8 feet in spots.

Evacuation efforts continued on the Navajo Indian Reservation, where the overflow of the Little Colorado forced more than a dozen Navajo families from their homes.

Officials of the tribe's Emergency Management Department said Monday that six Navajos were airlifted Sunday from Birdsprings, the worst-hit area.

"Some walked out of the area to higher ground, while a number of others refused to leave their homes," said Phoebe Watchman, a department spokeswoman.

National Guard helicopters from Phoenix were evacuating families Monday from the Indian Wells area, also inundated by flooding from the Little Colorado.

The Red Cross in Phoenix late Monday was loading 100 cots, 100 blankets and 100 "comfort kits" onto a National Guard truck headed for two shelters on the Navajo Reservation, according to Red Cross spokeswoman Claudia Schnagl. A "comfort kit" consists of a toothbrush, toothpaste and other toiletries.

Contributing to this article were Randy Collier, Martin Van Der Werf and Bill Donovan of The Arizona Republic.

Never warned, flood victim says

County admits businessman probably should have been

By Art Thomason
The Arizona Republic

As Salvatore Milone tried to put his flood-ravaged business back together Monday, he wondered why he was never warned that he and his employees were in danger from a rapidly rising Salt River.

He's not alone. Scores of flood victims are complaining that flood-warning systems were either inadequate or inoperable, despite a \$7 million-plus budget and a 50-member bureaucracy for emergency services in Arizona.

"To be honest, I don't know whose fault it is," Milone said from makeshift offices set up to operate his Apex Bulk Commodities trucking business from a west Phoenix motel.

"We came close to losing lives. Our equipment is replaceable. No one contacted us in any way, shape or form."

A county-emergency official acknowledged that Milone's business, which sits on 20 acres

along the Salt in Laveen, probably should have been contacted by the Maricopa County Emergency Management Office.

"We notify people up and down the river that the water is coming," said John Stewart, an emergency-services planner for the county. "He (Milone) may be new."

Milone, however, said he has been in business at the site in the 7300 block of west Southern Avenue for five years.

Stewart said disaster-warning sirens are seldom operated by the agency and were not used Friday.

"The sirens were designed primarily for an enemy attack," Stewart said. "It would be difficult to use them because not too many people know what they mean. They would equate it with an air raid."

However, Stewart and state emergency officials said it was known that flooding was possible at least a day before the water raged down rivers, streams and washes, immersing low areas.

"Throughout the media, there were alerts, talk about weather conditions and what people needed to do to protect themselves," said John Paulsen, a

spokesman for the Arizona Division of Emergency Management.

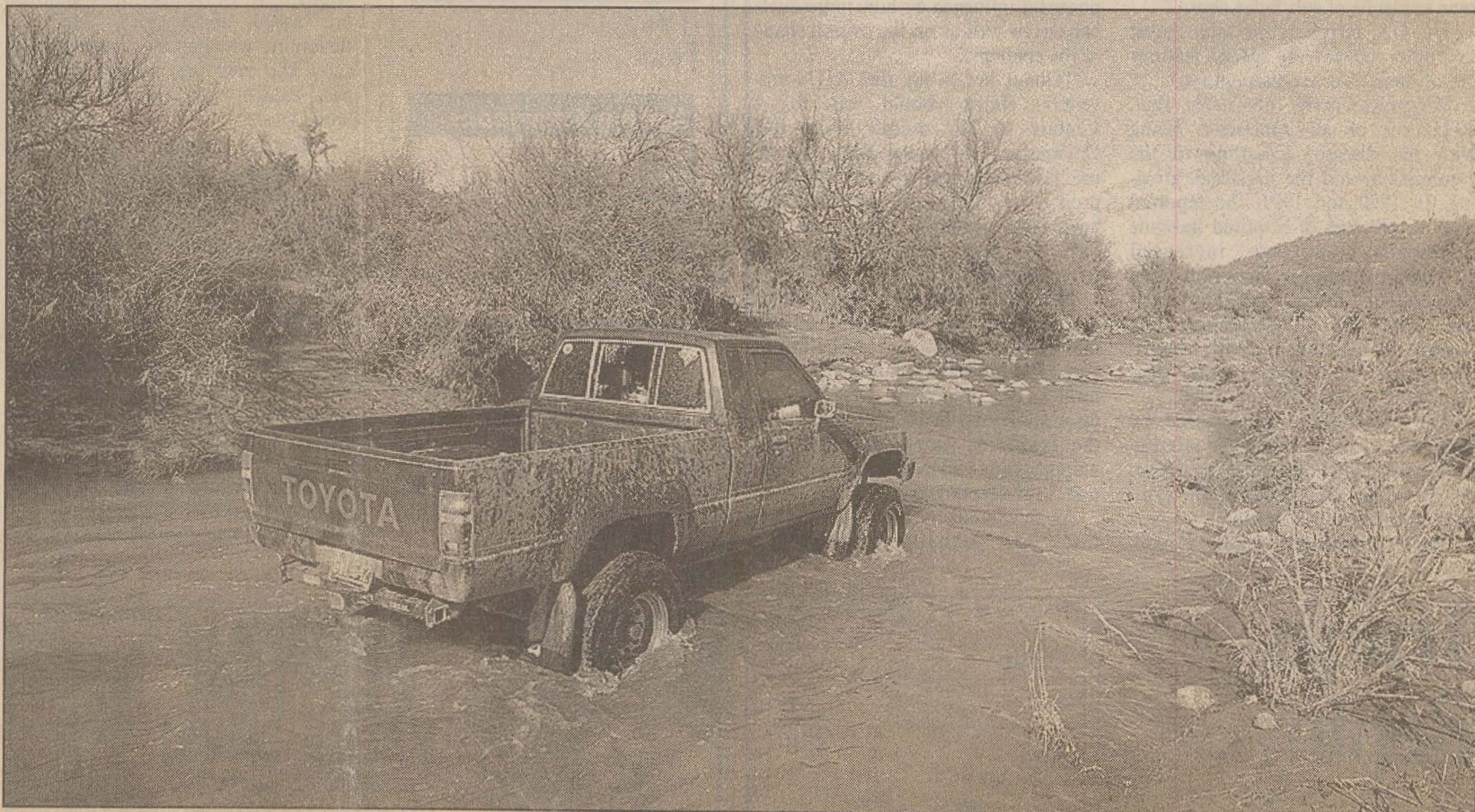
Paulsen said disaster-warning sirens were used by the agency in Winkelman and Hayden, two Arizona communities east of the Valley that typically are prone to flooding more than most other areas of the state.

Milone said that if it had not been for the generosity of nearby businesses, he would have lost even more equipment than he did. One business lent him a tractor to help move equipment, and a neighborhood sand-and-gravel operator opened his property as a temporary parking lot for his trucks, Milone said.

"We nearly got washed away," he said. "The current was strong. It just came blasting through."

"My neighbors were wonderful, and my employees risked their lives trying to save my business."

"But I haven't seen or heard from anybody from the government, before or after the flood except for a sheriff's deputy who came down to warn us to get off the property — after it was covered by 2 feet of water."



A truck in New River appears to conquer flooding on 36th Avenue, once a dirt road running in front of about 25 homes. Roaring floodwaters also wiped out

Old Stage Coach Road, the southern portion of Coyote Pass, angering residents who have no route out now that both roads are gone.

New River floods, strands 100

Waters go over berm, turn 36th Avenue into another river

By Carol Sowers
The Arizona Republic

Jim Downes woke at 3 a.m. to an ugly roar — New River exploding through a dirt berm Friday, creating a frightening wall of floodwater that in seconds stranded 100 residents in the desert community north of Phoenix.

They remained cut off from the rest of their community Monday, at the mercy of floodwaters that had raced across the desert "scouring out a whole new river" — 36th Avenue.

The avenue once was a dirt road running in front of about 25 homes in New River, an area north of New River Road and east of Interstate 17.

On Monday, it was a river of water strewn with huge boulders. Mailboxes along the road's edge appeared in danger of tumbling in, and driveways looked like rock quarries. Corrals hid vanished.

Residents say that at least their homes were spared.

No one seemed to realize that New River was cut off until residents called Maricopa County Search and Rescue workers, who on Sunday sloshed through knee-high water and dodged boulders to bring in food and diapers donated by the Salvation Army.

"They were wonderful," resident Sparky O'Neill said.

But the roaring water also wiped out Old Stage Coach Road, the southern portion of Coyote Pass, angering residents who have no route out, now that both roads are gone.

Downes and other residents blame the flooding on Maricopa County for failing to reinforce the berm. They say that allowed the water to wipe out their only two roads, destroy their yards and carry away their corrals.

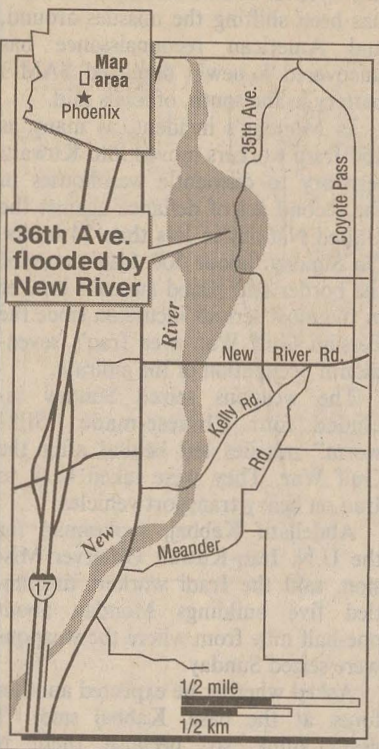
County construction workers who tried to repair Old Stage Coach Road, the only remaining road, on Sunday "turned it into an impassable mud bog."

Larry Lambertus, who lives on the eastern side of 36th Avenue near Old Stage Coach Road, said he had used construction equipment to make a road for residents to get in and out of the area. Then Sunday, county workers using a grader and a loader became stuck in the mud and ruined it.

"When they left they just turned it into a mud bog," Lambertus said. "Now, no one can get through."

Kent Hamme, Maricopa County's assistant engineer for highway operations, acknowledged that his workers "indeed probably made it worse when they pulled off."

"There was just nothing they could



Gus Walker/The Arizona Republic

do in the rain," he said. He denied, however, that the county is responsible for the break in the berm and the flooding of the area's only two roads.

"There is almost nothing we can do in the lower parts of that channel," he

said. "The river will meander this direction and that in the floodplain."

County road workers are scheduled to repair Old Stage Coach Road today. Hamme said the county has as many as 100 flood-damaged roads to repair.

Fixing Old Stage Coach Road will not help the Downeses or four other families who live west of 36th Avenue. With an impassable river in front of them and New River raging behind them, they live on what resident Dick McKeon calls "a new island."

Downes looked at the boulders and mud that wiped out his once-green yard, dotted with park benches and a hammock.

"It has taken me seven years to put the corrals up and get the yard fixed," he said. "And in one day it is all gone."

Downes said he also is worried about the river that has gouged out a 6-foot strip of the bank behind his house, with more water predicted.

A storm is expected across much of Arizona today and Wednesday, perhaps dumping another inch to an inch and a half of rain in the deserts and more snow in the mountains.

"I don't know what will happen if we get more rain," Downes said.

3,500 truckloads of debris wash into Salt

— 3,500 TRUCKLOADS, from page A1

just as garbage from lower portions of the landfill is being swept downstream in the flooding that began Friday.

"We had garbage going in one end and out the other, literally," said Godec, whose agency is helpless to control the situation since the state has no jurisdiction on Indian lands.

Godec said department Director Ed Fox plans to hold the tribe and the cities that use the landfill responsible for the cleanup of the Salt River, and the state is considering legal action.

Meanwhile, Maj. Robert Van Der Like, regional deputy commander of the Army Corps of Engineers, which regulates dumping into major U.S. waterways, said his agency is considering some type of "enforcement action" against the tribe.

And Chandler City Councilman Roger Peterson proposed that the landfill should be closed and sealed off with concrete. That would cost an estimated \$4 million, not including

the cost of cleanup.

Peterson said he is "very disturbed" over the flow of trash into the river, the visible fires in the landfill and the explosions of methane gas.

"There'd be a big puff of smoke and you'd see some debris going out into the river. It was like a cannon going off," Peterson said.

"The volume of trash in the river was shocking and appalling. There was a steady stream of ton after ton of trash going down. It was solid trash and had a foul odor," said Peterson, who said he also checked upstream of the landfill to assure himself that the garbage was not coming from some other source.

"I think concrete retaining walls need to be built between the landfill and the Salt River immediately without any further delay," said Peterson, who is a member of the Maricopa Association of Governments' Solid Waste Coordinating Committee and the Southeast Re-

gional Landfill Siting Committee.

As the river recedes, erosion of the landfill will increase, Godec said. Initially, the erosion was in portions of the landfill made up of construction debris, but it is now occurring in "softer" portions composed of municipal waste, Godec said.

"It is likely that the erosion will occur faster," he said.

Since last week, an area 1,000 yards by 100 yards, and 50 feet high, has eroded away, Godec said.

Van Der Like said a \$500,000 study of how to close the dump, approved by Congress after erosion occurred last year at the landfill, could take a year to complete. But some remedial sealing of the landfill could occur before the study is finished, he said.

Janet Johnson, a spokeswoman for the Salt River Pima-Maricopa Indian Community, said the tribe already has conducted engineering studies showing that it would cost \$4 million to seal off the landfill from the river.

Johnson said tribal officials had hoped the \$500,000 approved for the Corps of Engineers' study could be used instead to begin the sealing process.

But, Van Der Like said the study is needed to ensure that all of the "complicated" concerns, including the possible contamination of underground drinking water, are taken into account.

Van Der Like said the tribe has made money from the landfill, and that the financial responsibility for sealing the landfill rests with the tribe.

Johnson said the tribe needs the approval of the Corps of Engineers before it can begin taking any action to seal the dump.

The Army Corps of Engineers is responsible for enforcing the federal Clean Water Act and of regulating anything put into major waterways, such as the Salt River, that are considered property of the United States.

Superstition Springs Mall

Healthy Start might have saved tot

Program offers support for at-risk moms

Saving Arizona's Children

The Arizona Republic is 'adopting' the state's children in a year long effort to improve their quality of life. This is another story in the series.

By Clint Williams
The Arizona Republic

Even thieves and murderers can't understand how a mother could allow her infant son to starve to death. So they ask Christina Lynn Derrington.

"I get hit with that every day," said Derrington, now serving a 15-year sentence for manslaughter.

"I just tell them point-blank: You don't know

the circumstances."

Derrington, 26, speaks of isolation, depression, abuse and ambivalent feelings toward her baby. There were too many bad things in her life, when, in January 1990, just 10 weeks after he was born, Terrence died of malnutrition.

It was a death that might have been prevented by a program being tested in Prescott, Yuma and Tucson.

— See **HEALTHY**, page A5



\$48 million in tax cuts unveiled

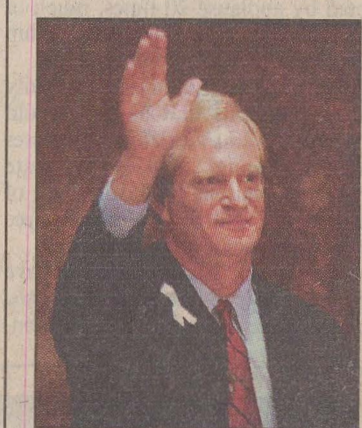
Governor touts 'economic opportunity'

By Mary Jo Pitzl
The Arizona Republic

Gov. Fife Symington on Monday unveiled a \$48.8 million tax-cut package for individuals and businesses, saying he wants to stimulate economic development.

"We have ended our love affair with tax-and-spend, and we are about to elope with economic opportunity," Symington said in his State of the State address as the 41st Legislature convened.

The plan includes a \$30 million cut in personal income taxes, which would save an average of \$22 a taxpayer. Symington last year pushed



Fife Symington

SYMINGTON'S AGENDA

Highlights of Gov. Fife Symington's legislative agenda, outlined in Monday's State of the State address:

- Income taxes**
A \$30 million cut in personal income taxes and an income-tax credit for child-care expenses worth \$2 million.
- Business taxes**
Faster depreciation of business equipment for property-tax purposes and a gradual elimination of the sales tax on commercial leases.
- Education**
A pilot program for state-funded education vouchers that parents could use at public, private or parochial schools in Maricopa and Pima counties.
- Kids and guns**
A state law regulating gun possession by juveniles.
- Prison terms**
A "truth in sentencing" proposal to abolish parole, giving prison inmates time off their sentences only for good behavior. It would take effect over the next two years.
- Health-care cut**
An end to state-paid health care for about 35,000 uninsured working poor.
- More health care**
The addition of 69,000 children and pregnant women to health coverage subsidized by the state and federal governments.

Truckfuls of trash wash into Salt



Charles Krejcsi/The Arizona Republic

2 cities vow to continue use of eroding landfill

By Steve Yozwiak
The Arizona Republic

The amount of debris that floods have washed into the Salt River from a landfill north of Mesa would fill more than 3,500 garbage trucks, officials estimated Monday, even as two cities confirmed that they will continue dumping there.

Meanwhile, as fires and "cannon-like" explosions caused by exposed pockets of methane gas erupted at the Tri-City Landfill, there were calls for "immediate" action to seal it off.

"I see no reason not to continue to dump there," Scottsdale City Manager Dick Bowers said.

"They're doing a fine job of managing the landfill," he said of the Salt River Pima-Maricopa Indian Community, which runs the riverside landfill, which is on reser-

CLAIMS: Insurers struggle to keep up with flood-damage reports, D1

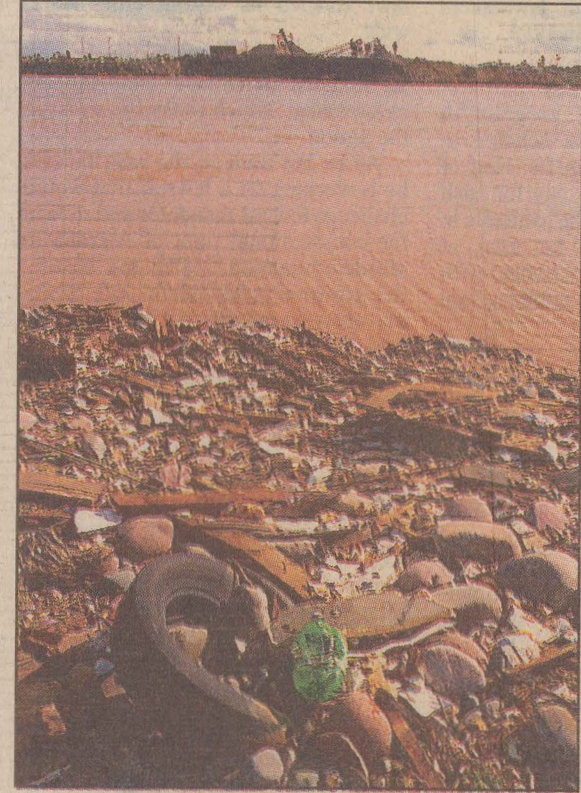
vation land northeast of McDowell Road and the Beeline Highway.

Mesa Public Works Manager Bruce Crandall said, "We don't see a danger by continuing to dump there," adding that garbage is being unloaded on the side of the landfill that is away from the river.

"There's 20 years worth of stuff almost in there. The amount we're adding isn't a great amount."

However, spokesman John Godec of the Arizona Department of Environmental Quality called it "amazing" that municipal garbage trucks continue to dump at Tri-City

— See **3,500 TRUCKLOADS**, page A6



Michael Meister/The Arizona Republic

The receding Salt River (left) leaves scattered debris along its banks near Hayden Road in Tempe. In Winkelman's Flats (above), where evacuated residents were allowed to return Sunday to remove belongings, muddy waters of the Gila River inundate homes and vehicles. **Story, A6.**

Scottsdale woman gets artificial heart

Implant is 1st OK'd by U.S. in 3 years

By Arthur H. Rotstein
The Associated Press

TUCSON — A Scottsdale woman was in critical condition Monday night after receiving the first temporary total-artificial-heart implant federally approved for study in three years.

Sharoyne Loughran, 46, received a CardioWest plastic-and-metal pump as a bridge to transplantation in a four-hour operation at University Medical Center.

She had suffered both left- and right-side heart failure, said Dr. Jack Copeland, the chief cardiothoracic surgeon. The woman was admitted Wednesday.

Copeland said members of his team had told her Sunday that her most likely option would be the artificial heart developed by Car-

dioWest, a joint venture of the medical center and the University of Utah's Medforte Research Foundation.

"She'll be happily surprised," Copeland said, "because she was dying last night."

Loughran's husband, Richard, said he wasn't certain that his wife knew she would be receiving a total artificial heart.

However, he said he "concurred with . . . Copeland that this was the best process to proceed with at this time in order to get a transplant."

Loughran said his wife's condition, eventually determined to be dilated cardiomyopathy, initially had been diagnosed as a chronic ear infection.

— See **SCOTTSDALE**, page A10

Iraqis defy U.N., deploy SAMs

Saddam's forces also re-enter Kuwait zone, seize material

By Michael R. Gordon
The New York Times

WASHINGTON — In the latest in a string of defiant actions, Iraqi President Saddam Hussein has moved surface-to-air missiles into the air-exclusion zone in northern Iraq, White House officials said Monday.

The action came two days after the White House announced that Baghdad had backed down and moved anti-aircraft missiles into southern Iraq after an ultimatum from the United States.

And it follows a string of provocative actions by Saddam, including Iraqi incursions Sunday and Monday into territory that the United Nations has awarded to Kuwait, to retrieve weapons, ammunition and equipment, a move that Iraq claims had been approved by U.N. officials. Baghdad said the incursions had been caused by a misunderstanding of conditions established by the U.N. Security Council. But Monday night, the council condemned Iraq's raids and warned of "serious consequences" if it did not return the missiles and other equipment seized in the raids.

Although Secretary-General Boutros Boutros-Ghali had said earlier he hoped for tough council action, the Security

— See **IRAQIS**, page A5

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Phoenix pastor praised for role in King holiday

See Page B1

Symington unveils tax-cut plan

—SYMINGTON, from page A1

However, he would save an estimated \$82 million in the coming fiscal year from his proposal to eliminate 35,000 uninsured working poor from the Arizona Health Care Cost Containment System, the state's health-care system for indigents.

Symington acknowledged that his plan to drop the "medically needy, medically indigent" from AHCCCS coverage is controversial, and he invited lawmakers to help him find an alternative, given the state's cash-strapped budget.

'Nothing compassionate'

Government should have a restrained role in taxes and social services and direct its energies toward stimulating private enterprise, Symington told lawmakers assembled in the House.

"There is nothing compassionate about luring people onto public assistance and creating incentives to stay there indefinitely," he said. "By far, the greater help to the poor is greater economic opportunity, and the best welfare program is a good job."

His half-hour address was interrupted by applause 20 times, much of it initiated by House Majority Whip Dave Schweikert, R-Fountain Hills.

Symington's remarks leaned heavily toward programs that he said would shore up the state's existing businesses but also would make the state competitive nationally and, in light of the pending North American Free Trade Agreement, internationally.

Other items that in the past have received heavy Symington emphasis, such as education and the environ-

ment, took a back seat to his economic-development program.

"The word 'tax cut' is really a euphemism for 'economic development,'" Symington said after he had finished his speech.

"If we do not stimulate our private economy and create jobs and opportunity for our people, we will see the welfare rolls grow, and we will see an economy that is stifled."

Tax-rate cuts proposed

The governor called for cutting the tax rates on the first \$25,000 of federally adjusted gross income for single people and the first \$50,000 for married couples filing jointly. Income above those levels would be taxed at current rates.

That plan, along with the proposed increase in the deduction for people 65 and over to \$2,100 from \$1,750, would cost a total of \$30 million.

In addition, Symington wants to lower withholding rates, which would take an estimated \$15 million from the 1993-94 budget.

His child-care credit would amount to 5 percent of the credit allowed on federal income-tax returns, costing the state \$2 million.

Symington's staff could not hang a price tag on how big a bite the personal-property tax on business equipment would take out of the state's budget. The phaseout of the commercial-lease sales tax is expected to take \$1.8 million out of the coming year's budget.

Both moves, however, should more than pay for themselves by making Arizona's business climate more welcoming, and, in the long run, attracting more tax-paying enter-



Members of the 41st Legislature convene at the state Capitol for Gov. Fife Symington's State of the State address. Lawmakers split along partisan lines

on Symington's tax proposals, but even some Republicans acknowledged that crafting a budget with a nearly \$50 million tax cut would be difficult.

Michael Ging/The Arizona Republic

LAWMAKERS SHARE THOUGHTS ON SPEECH



House Majority Leader Brenda Burns, R-Glendale, on the tax-cut proposal:

"It's going to be ugly. . . . Nonetheless, I think the more citizens have in their pockets, the less people we have on welfare, the less people we have needing services. You bring in more jobs."



Rep. Cathy Eden, D-central Phoenix:

"This sounds like a speech that should be given by a governor who's just coming in. He's out of touch with what's going on in state government."



House Minority Leader Art Hamilton, D-southwest Phoenix, on a proposed elimination of state-paid health care for 35,000 uninsured working poor:

"I think it sends a terrible message to the folks, and again, I think it is the height of political hypocrisy. Out of one side of his mouth to say, 'We encourage you to get off welfare and go to work,' and on the other hand, 'You may lose the health care you now receive.'"



House Speaker Mark Killian, R-Mesa, on the tax-cut proposal:

"The Legislature in the past has taxed the revenue machine. Reducing taxes will encourage revenue growth. This is medicine we have to take."



Assistant House Minority Leader Debbie McCune-Davis, D-west Phoenix, on a proposal for parents to be able to send their children to any school in the state:

"My concern about the governor's education proposals is I view them as elitist. They move contrary to what he talks about in terms of people building neighborhoods, living in neighborhoods, taking care of themselves, looking out for each other."



Senate Finance Committee Chairwoman Pat Wright, R-Glendale, on the tax-cut proposal:

"Anything is doable with the will. I have the will to give him what he wants. We are all headed in the same direction. The Legislature is prepared to go with the tax cuts."



Rob Schumacher/The Arizona Republic

After a successful marriage proposal, Rep. Richard Kyle kisses his bride-to-be, Kim Rose, on the floor of the state House on Monday.

A marriage made in the Arizona House

By Mary Jo Pitzl
The Arizona Republic

Richard Kyle isn't your typical freshman legislator.

On his first day — no, his first hour — on the job, he stood up and proposed marriage to his girlfriend. In front of a bemused House of Representatives.

A stunned Kim Rose said yes, and blushed, gushed and was shushed into silence after reporters converged on her. After all, it was the Legislature, and some decorum had to be maintained.

Kyle, 32, enhanced his already established reputation as a showboat with the dramatic proposal.

In September, he squeaked out of his Republican primary by drawing the best hand in a game of five-card stud. He and opponent John Gaylord drew the same number of votes, and by law had to settle the tie with a game of chance

or by drawing lots.

"I like to do things that are unique," Kyle, R-southeast Phoenix, said after the House wrapped up its first day of work.

"I thought, 'How can I do this so not every woman in America could say, 'This is how my husband proposed to me'?"

He may have hit on the answer. A quick check with House and Senate record keepers turned up no recollection of marriage proposals.

Rose, 32, met Kyle two months ago at Houstons Restaurant in Phoenix, where she is a waitress.

"I'm like dying," Rose said, as she flashed her engagement ring.

"Everything just stopped (when he proposed). I turned bright red."

The happy couple plan to wed in August.

The location? Kyle eyed the House chambers. Rose glowered in mock indignation. Details pending.

'Toughest we've ever had'

"It's nothing anyone is going to enjoy," she said. "It's probably the toughest we've ever had."

Symington's proposal to eliminate the medically needy from state-funded health care drew the heaviest criticism. The governor barely touched on it in his remarks, saying simply, "Some people will move off the coverage rolls."

Instead, he focused on the 64,500 young children and 4,500 pregnant women whom he said would get health coverage by Arizona tapping into more federal funds.

House Minority Leader Art Hamilton, D-south Phoenix, called the medically-needy proposal the "most atrocious" of Symington's 1993 plans because it essentially would encourage the working poor to quit their jobs and qualify for the health coverage that still would be available to the poorest of the poor.

"I think it is the height of political hypocrisy," Hamilton said. "Out of one side of his mouth to say, 'We encourage you to get off welfare and go to work.' And on the other hand (to say), 'You may lose the health care you now receive.'"

Other lawmakers linked the likelihood of individual income-tax cuts to how the Legislature deals with the thorny medically-needy proposal.

On other fronts, Symington renewed his push for vouchers for private schools, although lawmakers say it is unlikely to pass in 1993.

'Truth in sentencing'

He proposed a pilot program in kindergartens and grade schools in Maricopa and Pima counties. Half of the state money used to pay for each child's education would be available in a voucher that could be used at private and parochial schools, with the rest remaining in the public-school system, Symington said.

He also called for "truth in sentencing," in which inmates must serve the full term of their sentences. The only exception would be time off for good behavior, and the state's parole system would be abolished.

Symington said such a change should happen by the time the 41st Legislature wraps up its two-year term. Lawmakers, eager to complete work in 100 days, have said the governor's proposal may be too complex to digest in one year.

Although the governor sketched a shrinking role for government, he urged a tough-on-crime stance.

Of the state's numerous responsibil-

ities, he said, "none is more urgent than enforcement of civil order and protection of the public safety."

He pushed for a statewide law governing gun possession by youths, but his speech lacked details. If passed, it would supersede similar laws enacted in various cities statewide.

Symington said work is under way to toughen Arizona's child-support enforcement, which ranks the worst in the nation.

As he has done in the past, he said he is working on a lawsuit that would challenge federal mandates and defend the constitutional right of Arizona to self-determination. After the speech, the governor said federal safe-drinking-water standards could be a test case.

Symington closed his remarks with acknowledgments to the Rev. Martin Luther King Jr., whose civil-rights legacy will be honored for the first time next Monday with a state holiday.

And he sent a get-well message to Rep. Nancy Wessel, R-northwest Phoenix, who remains hospitalized after brain surgery last year.

"Nancy Wessel, we are thinking of you and we are praying for you," he said. "Please come back soon to us."

Contributing to this article were Ed Foster and Kim Sue Lia Perkes of *The Arizona Republic*.

SYMINGTON'S TAX PROPOSAL

Gov. Fife Symington's proposal would cut the state's tax rates on the first \$25,000 of federal adjusted gross income for single people and the first \$50,000 for married couples who file joint returns. Income above those levels would be taxed at current rates. He also would boost the exemption for people age 65 and over to \$2,100 from \$1,750. The changes would be effective for the 1993 tax year.

Here's how the tax would affect taxpayers:

Federal adjusted gross income	Number of returns	Current average tax	Governor's proposed average tax	Difference
Negative income	10,067	\$14	\$14	\$0
\$0-5,000	151,057	\$0	\$0	\$0
\$5,001-10,000	184,604	\$34	\$33	\$1
\$10,001-15,000	169,575	\$115	\$112	\$3
\$15,001-20,000	142,232	\$241	\$233	\$8
\$20,001-25,000	114,125	\$403	\$389	\$14
\$25,001-30,000	93,639	\$563	\$544	\$19
\$30,001-40,000	147,606	\$788	\$764	\$24
\$40,001-50,000	102,582	\$1,124	\$1,082	\$42
\$50,001-75,000	117,525	\$1,656	\$1,578	\$78
\$75,001-100,000	32,491	\$2,762	\$2,652	\$110
\$100,001-200,000	22,783	\$5,607	\$5,494	\$113
\$200,001-500,000	6,757	\$14,118	\$14,002	\$116
\$500,001-1,000,000	1,140	\$37,667	\$37,550	\$117
Over \$1,000,000	463	\$116,870	\$116,753	\$117
Overall averages:		\$767	\$745	\$22

Source: Arizona Department of Revenue

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Car-pool lane toll study pushed State would let solo drivers pass in style — for a price

By M.E. Saavedra
The Arizona Republic

Tired of seeing that wide but empty car-pool lane go practically unused as your car crawls through rush-hour traffic on Interstate 10?

Those nearly empty lanes would become toll lanes for single-occupant cars under a plan developed by state transportation officials.

Transportation officials are seeking the backing of the Maricopa Association of Governments, primarily made up of Valley mayors, before Jan. 25, when they submit the proposal in an attempt to get about \$40 million in federal funds. The plan was approved Wednesday by the association's group of city managers.

"The chances of getting the project

would be greatly enhanced if we can go to the federal government and say, 'Hey look, everybody here is behind the project,'" said John Semmens, a senior planner for the Arizona Department of Transportation.

Transportation officials say charging a toll for single-occupant vehicles will ease traffic congestion, decrease pollution and generate money to build more car-pool lanes and buy more buses.

They would try to keep the toll high enough to prevent overcrowding in the car-pool lane and to keep from discouraging ride sharing, they said. A suggested cost is 20 to 25 cents a mile.

"Even though from a purist's standpoint, we're violating the virgin concept of HOV lanes being only for multiple-occu-

pancy vehicles, we're doing it with a long-run interest in mind of expanding the system's ability to provide better service," Semmens said.

Some car poolers were cautiously optimistic about the proposal, especially if it meant more such lanes on the freeways. Of about 70 miles of freeway in the Valley, 20 miles have car-pool lanes.

Others said it could be self-defeating.

Mary Gibbons, 30, an accountant for Phoenix, said she worries that the car-pool lanes might get too crowded to use.

"The toll would have to be really steep in order to discourage people from using it," Gibbons said. "It wouldn't be worth our while to car-pool if that lane wasn't

— See CAR-POOL, page B3



John Semmens / If approved, a toll system probably could be in place in the Valley by mid-1994, the Arizona Department of Transportation senior planner says.

Legislature's budget draft is unveiled

\$3.70 billion plan calls for difficult cuts

By Ed Foster
The Arizona Republic

The Legislature's budget experts Wednesday unveiled their proposal for state spending, including a slash in school funding and a dip into the Heritage Fund passed by voters in 1990.

The proposal calls for undocumented aliens to be removed from the Arizona Health Care Cost Containment System, except for emergency care. It also would eliminate a tuition waiver for university employees and their families, and require state workers to take a day off without pay on the Friday after Thanksgiving.

Ted Ferris, director of the Legislature's budget staff, told the Senate Appropriations Committee that difficult decisions are unavoidable.

The budget for fiscal 1993-94 foresees \$3.70 billion in spending, up about 2 percent from this year.

Like a \$3.75 billion spending plan unveiled by Gov. Fife Symington on Tuesday, the legislative proposal would not raise state aid to education

to account for inflation. That would cost the public schools \$64 million, leaving them short a total of \$227 million over three years.

The budget proposal also would phase out two special payment programs for teachers, saving \$21.4 million, and require certain school districts, primarily Scottsdale Unified, to pay higher school taxes.

Ferris said that it is a tough schools budget but that it calls for an additional \$55.5 million overall in state aid to education. He said that the assessed valuation of property statewide has fallen by 3 percent and that more aid is needed to help schools, primarily funded through property taxes, make up for that decline.

Among the most controversial elements of the proposal is a transfer of \$4.7 million from the Heritage Fund, where it was to be used for parkland purchases, to the general fund, where it will help pay for operation of state parks. Voters created the Heritage Fund to buy and develop parkland and wildlife habitat.

Senate Appropriations Committee Chairwoman Carol Springer, R-Phoenix, said that without the fund shift, there just isn't enough money to keep state parks open.

"The people I talked to understand the simple fact that it doesn't make

— See LEGISLATIVE, page B4

The wrath of the swollen Gila River is evident at Winkelman's Flats, where homes remain in several feet of water. By Friday, flooding is expected to worsen. "This is a disaster," Gov. Fife Symington said after surveying the area. "This is unbelievable."



Rob Schumacher/The Arizona Republic

Gila River menaces residents

More flooding is expected over weekend

By Carol Sowers and Fred Smith
The Arizona Republic

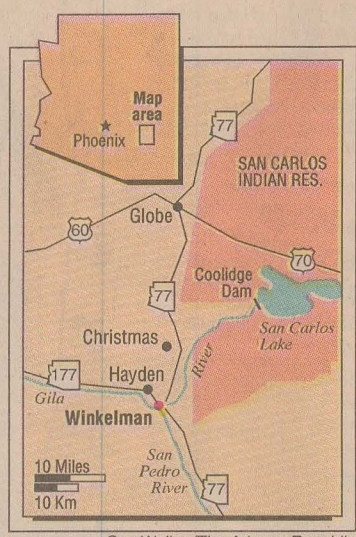
WINKELMAN — After a week of spending nights in a chair at Desert Samaritan Hospital in Mesa, where her 5-year-old had major surgery, all Valerie Avenetti wanted was to go home.

"But there was no home to go to," Avenetti said. "Sad to say, my home is full of water, probably 5 or 6 feet deep. It's pretty depressing, and I'm pretty tired."

She's one of about 700 residents of the Copper Basin, southeast of Phoenix, who have been displaced by the raging Gila River.

And by Friday, flooding is expected to worsen as record amounts of water surge "uncontrolled through the emergency spillways" at the Coolidge Dam upriver, said Kenneth Clouser, dam-safety coordinator for the Bureau of Indian Affairs.

At its peak, the flow will be nine times more water than ever has poured through the 65-year-old



Gus Walker/The Arizona Republic

feet of water per second through its spillways, and only 45,000 is expected to roll through Friday. Discharges were at about 18,000 cfs Wednesday and will build up slowly.

If failure occurred, it "wouldn't be sudden," he said. "Monitors would allow us to detect the slightest movement and give us plenty of time to warn people."

Rising water behind the dam has forced dam workers using an abandoned power plant for offices to move their computers to higher ground.

Although the twin communities of Winkelman and Hayden are feeling the river's wrath now, Kearny, about nine miles northwest, is next. And residents of Florence and the Gila River Indian Reservation are girding for floods that could hit Saturday. The National Weather Service has issued flood warnings for as far away as Painted Rock Dam.

The flooding in the area has been worse than that of 1983, when water 6 feet deep caused property damage exceeding \$50 million.

The Gila, normally a docile stream winding westward through Arizona, has been swollen for a week by torrential rains in eastern Arizona and western New Mexico. As much as 10 inches has fallen on its watershed.



Rob Schumacher/The Arizona Republic
Flats resident Teresa Denogen carries a picture of Our Lady of Guadalupe after being ordered to evacuate her home.

In some areas, including The Flats in Winkelman, that has meant water 7 feet deep.

"At that rate (Friday), the Lord

— See GILA RIVER, page B3

Salt's shift faulted in erosion at landfill

By Steve Yozwiak
The Arizona Republic

To the astonishment of environmentalists and others, the Army Corps of Engineers on Wednesday blamed recent erosion at the Tri-City Landfill on a "shifting" of the Salt River.

But an expert with the Maricopa County Flood Control District said the Salt River has not appreciably changed course since the landfill was created on the river's banks 20 years ago by the Salt River Pima-Maricopa Indian Community.

Even tribal spokeswoman Janet Johnson said the erosion was due not to any change in course, but to high waters that broke through a barrier the corps helped construct next to the river last year.

Meanwhile, spokesmen for Scottsdale and Mesa said they are actively exploring alternatives

to hauling municipal waste to Tri-City.

In response to the erosion, which has sent thousands of truckloads of debris downriver, the corps issued a release.

"The shifting of the river course during last year's flows ... is what has caused the unfortunate landfill erosion this year," it said. "It wasn't a permit violation that caused this problem. The river's shifting was the cause."

Bob Amogeda, a spokesman for the corps in Los Angeles, stood by the statement and said he will work on providing maps that will show where the river was and how it changed course.

Amogeda said the corps never cited the tribe for a violation of the federal Clean Water Act, despite findings last year that the landfill had encroached into the Salt River "only about 3 1/2

acres."

"The entire situation is still under review. The final decision still hasn't been made yet," Amogeda said of any possible enforcement action by the corps.

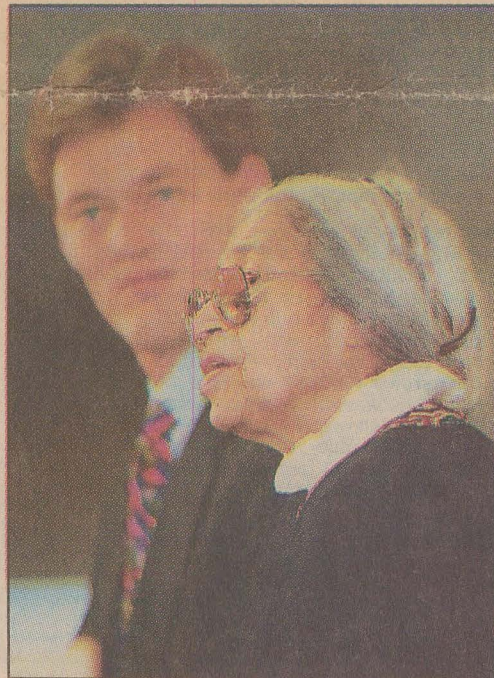
Steve Brittle, president of Don't Waste Arizona, which on Tuesday filed a lawsuit in federal court in an effort to close Tri-City, said the corps statement is yet another example of government inaction.

"I'm tired of all these lame excuses and distortions," said Brittle, who called on the state to join his group in pursuing a shutdown of Tri-City.

Steve Tseffos, a spokesman for state Attorney General Grant Woods, said his office is studying the possibility of joining the lawsuit.

KING DAY TREAT

Rosa Parks, considered to be the mother of the civil-rights movement, addresses a news conference at Sky Harbor International Airport in Phoenix on Wednesday. Parks, joined by Mayor Paul Johnson, will celebrate Arizona's first paid holiday honoring the Rev. Martin Luther King Jr. She said the approval of the holiday, to be observed Monday, is "a great step towards ... goodwill and freedom."



David Petkiewicz/The Arizona Republic

Chandler to weigh rule outlawing graffiti tools

By Gail Tabor
The Arizona Republic

If the Chandler City Council adopts a proposed ordinance outlawing "graffiti instruments," it will be easier to get arrested for carrying spray paint than carrying a gun.

The proposal, one of several measures being considered to curb juvenile crime, will go before the City Council at 7 tonight.

It states that "a person is guilty of possession of graffiti instruments when he possesses any tool, instrument, article, substance, solution or other compound designed or commonly used to etch, paint, cover, draw upon or otherwise place a mark upon a piece of property (without permission)."

"Possession of an unsealed spray-paint can in a public building, park, facility or alley shall be presumptive evidence of intent to use same in order to damage such property," it says.

The proposed ordinance drew howls from American Civil Liberties Union members and Valley lawyer Alice Bendheim, who has said it "violates the Constitution."

"It's outrageous, it's ridiculous, and it's stupid," Bendheim said.

That reaction didn't surprise City Attorney Dennis O'Neill, who drew up the ordinance at the council's request.

"But we're not inventing the wheel here," O'Neill said. "I got (wording) from cities in New York and Califor-

nia and other areas who have had the same (graffiti) problem."

Vice Mayor Jay Tibshraeny said he can understand the concern for citizens rights but was taken aback by the harshness of the criticism.

"There's been a tremendous outcry in Chandler about the tremendous amount of damage to buildings and parks (using paint)," he said.

"We don't want to create a police state, but we want the power to say, 'Stop painting walls and private property. We won't tolerate that.'"

Tibshraeny said he would not be averse to changing the wording of the proposal, particularly the part about "presumptive evidence" of guilt.

That wording bothers constitutional-law expert John Frank, who said, "The presumption of guilt is of very dubious constitutionality."

Violators would be charged with a misdemeanor, O'Neill said, and under the city's code, the maximum penalty for any misdemeanor is a \$1,000 fine and six months in jail.

"Our intent is not to have juveniles do jail time but spend some community-service hours cleaning up and repairing the damage," Tibshraeny said.

If the measure is read and approved in tonight's meeting, another reading and vote, probably in about two weeks, is required to pass it, O'Neill said. If passed, the measure will take effect 30 days later.

VALLEY/STATE WATCH

Recipient of artificial heart is awake, but still 'critical'

Sharoy Loughran remained in critical but stable condition at University Medical Center in Tucson on Wednesday, two days after becoming the first person in the nation in three years to receive an artificial heart, officials said.

Loughran, 46, was awake and followed some simple requests from doctors, such as moving her hands and toes, officials said.

Doctors are closely monitoring her for signs of infection, bleeding or stroke, complications that appeared in patients in earlier uses of the artificial hearts.

The Scottsdale mother is now awaiting a human-heart transplant, a procedure doctors hope to do within a month or two.

Until then, she will remain on the recently approved CardioWest artificial heart, a plastic-and-metal device driven by an air pump.

No charges planned in death of woman

The Pinal County Attorney's Office said Wednesday that it will not file charges in the death of an Apache Junction woman who was infected with gangrene and infested with lice and maggots before her death Nov. 20.

Deputy County Attorney Bill Perry said there was not enough evidence to indict Nicholas Economos, 27, and Susan Mitchell, 30, who lived with their mother, Dorothy Economos, 68, in a cramped mobile home.

Perry said the brother and sister told him their mother "wouldn't let them take care of her."

Glendale JP to retire after 10-year stint

Glendale's justice of the peace announced Wednesday that he will retire after 10 years on the job.

J.L. White, 65, will step down from the \$61,152-a-year post effective Feb. 23. Maricopa County will appoint a nine-member citizens committee to make recommendations to the county Board of Supervisors on a successor.

Residents have until noon Feb. 3 to apply for the vacancy.

More information is available at 506-3415.

3 found fatally shot are homicide victims

Three Tucson residents found shot to death Monday near Picacho Peak were homicide victims, the Pinal County Sheriff's Department said Wednesday.

Authorities first suspected the two women and one man, whose bodies were found in a van parked along Interstate 10, were victims of a murder-suicide, but they did not find the gun used in the killings, a sheriff's spokeswoman said.

The victims were identified as Lillie Ann Corrales Garcia, 34; Maria Garcia, 35; and Juan Andres Lopez Ibarra, 33. The spokeswoman had no further details.

Weeks to lead Corporation Commission

The Arizona Corporation Commission on Wednesday elected Marcia Weeks as its chairwoman.

Weeks succeeds Renz Jennings, a fellow Democrat.

Spokesman Jon Poston said the three-member panel regularly rotates the chairman's job. Jennings had served as chairman since July 1991.

The other member is Republican Dale Morgan.

Weeks, who was re-elected in 1990 to a second six-year term, said she will make speedy resolution of utility-rate cases a high priority during her tenure.

For the past six months, the panel has been under a self-imposed time clock of 12 months to settle rate cases, rather than 18 months, as had been customary.

POLICE/FIRE ROUNDUP

■ **A trail of blood at a south Phoenix motel led to the discovery** Wednesday of an unidentified man who later died at Good Samaritan Regional Medical Center. Phoenix police said employees of the EZ 8 Motel, 1820 S. Seventh Street, found the victim slumped over a sink about 9:15 a.m. Police suspect the death was a homicide.

■ **A teen-ager charged with the shooting death of an 11-year-old** Billings, Mont., boy has been taken into custody in Arizona. Steven Cline, 15, remains jailed in Florence after authorities picked him up Saturday in Apache Junction. He is accused of shooting Robert Strever in the head early May 3 with a gun stolen from a pickup truck. Cline, who was 14 at the time of Robert's death, was questioned by police after the shooting and released to his family. Authorities searched for Cline before a mid-December coroner's inquest was held into Robert's death. The coroner's jury ruled that Cline was criminally responsible for Robert's death and recommended that the Yellowstone County Attorney's Office charge him with negligent homicide. Deputy County Attorney John Kennedy said that extradition proceedings will begin immediately, but that it could take some time to carry Cline back to Montana to face the charges.

Compiled from reports by The Arizona Republic and The Associated Press.

QUOTE, UNQUOTE

“But there was no home to go to. Sad to say, my home is full of water, probably 5 or 6 feet deep. It's pretty depressing, and I'm pretty tired.”

VALERIE AVENETTI

FLOOD VICTIM IN WINKELMAN'S FLATS
Story on Page B1

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The Arizona Republic/The Phoenix Gazette

Symington cuts his budget principles

Wasn't it just two years ago that Gov. Fife Symington outlined "six basic fiscal principles" that he believed should guide all budget considerations? We all remember the first one: Balance each budget with "NO NEW TAXES." He even capitalized those three words in a budget address to the Legislature in March 1991.

The other principles, however, apparently have slipped everybody's mind. Including the governor's.

One of them was to "avoid shifting state problems to local governments and the private sector." Another was to set aside a minimum 2 percent ending balance, as a cushion against unexpected midyear expenses.

Whoops. A key component of Symington's health-care restructuring proposal is the elimination of some 35,000 working poor Arizonans from state-subsidized health care. Hospitals, however, would be required to provide emergency health care for these people.

Not surprisingly, the Arizona Hospital Association considers this a major cost shift to the private sector — as in hospitals. The rest of us might consider it a cost shift to the private sector, too — as in us. Hospitals are sure to pass their costs on. And that means employers, who



KEVEN WILLEY

Republic Political Columnist

provide the bulk of this country's health insurance, and other paying clients will wind up picking up the tab.

Symington appears to have changed his tune on ending balances, too. A 2 percent carry-forward in a \$3.75 billion budget is \$75 million. This percentage is the bare minimum to ensure fiscal stability, Symington said in 1991, contending that most states average more than that.

But the governor's fiscal 1994 budget includes a \$10.5 million carry-forward. That's less than one-third of 1 percent.

Why let a few pesky principles get in the way of political expediency?

It's January, so it must be state convention time for Democrats and Republicans.

This year, the Dems go at it first.

More than 200 of them from around the state are expected to descend Saturday upon the IBEW Hall, 1650 N. 36th St., to elect new state officers.

This year, it's an election with some significance. It'll mark the first time in decades that the party won't be electing a chairman whose memories stretch back to Calvin's administration.

That's Coolidge, not Klein.

One of the party's vice chairman, Steve Owens, 37, is expected to be unopposed for the party chairmanship. In addition to bringing badly needed youth and vigor to the state's minority party, Owens is expected to move the party a bit toward the ideological center.

Owens, a soft-spoken, sandy-haired Phoenix lawyer with a Tennessee twang, was a top aide to Vice President-elect Al Gore in the U.S. Senate. By comparison, the current state chairman, Bill Minette of Tucson, supported Tom Harkin in the 1992 presidential primary.

The only expected tussle of note seems to be over the first vice chairwoman slot. Contenders are Alison Hughes of Tucson and Yvonne Ragland of Nogales.

Most state and national Democrat elected officials will be on hand for the affair. That evening, the Dems plan to hold a pre-inaugural

celebration at the Embassy Suites Hotel just a few blocks away — complete with a larger-than-life cardboard cutout of Bill Clinton for photos.

Actually, the most interesting part of the day could be trying to read between the lines of some of the speakers. It's the kickoff of the next election cycle, after all, and every self-respecting Democrat wants to know what folks like Arizona Secretary of State Richard Mahoney, Phoenix Mayor Paul Johnson and former Phoenix Mayor Terry Goddard have in mind for the future.

A few Republicans do, too.

The Repubs come to town the following Saturday.

Politics are always good for a laugh. Did you catch Kevin Nealon on *Saturday Night Live* the other night?

"Former mayor turned newly elected Washington City Councilman Marion Barry took his oath of office this week in a touching ceremony. He promised voters that gram for gram, he'll be the best councilman the city has ever had."

And here's what Arsenio Hall had to say about Ross Perot's car troubles the other day:

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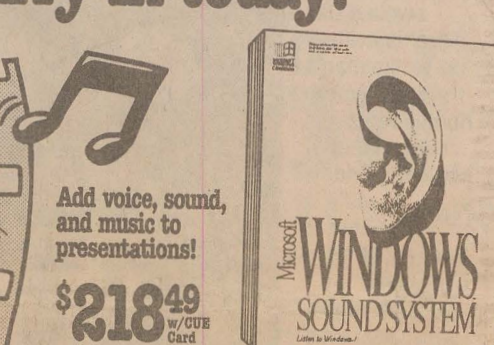
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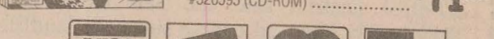
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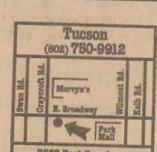
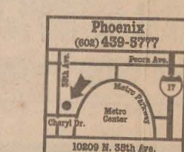
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Gila River menaces flood-weary residents

— GILA RIVER, from page B1

only knows what we'll see," said Cendie McCracken, who like Avenetti lives in The Flats.

Gov. Fife Symington surveyed The Flats by helicopter and then landed for a tour of the area.

"This is a disaster," Symington said. "This is unbelievable."

Symington added that \$200,000 in state money has been approved to help flooded residents. Jack Moortel, executive assistant for operations, said the Arizona Emergency Council will meet Friday and likely will set aside additional funds.

Three hundred residents were evacuated from the area last Thursday. On Wednesday, an additional 300 were told they had to leave their homes along First Street in Winkelman,

higher up but still in the river's path. An additional 100 have been evacuated in Kearny.

"And now we're worried about our water supply," said Malesio Chavez, mayor of Hayden, which is supplied by wells along the river. By Friday, the pumps are expected to be under water, rendering them inoperable.

"Imagine that, all this water and pretty soon we'll have nothing to drink."

When that happens, Hayden may have to rely on tank trucks sent in by the Arizona National Guard. Also, a filtering system is being installed at Hayden High School to make the 1 million gallons of water in the school swimming pool fit for human consumption.

Arizona 177 was closed east of Winkelman on Wednesday.

Meanwhile, 30 miles south of Phoenix, the state Department of Public Safety closed Interstate 10 briefly while officials detonated explosives and sank two large tanks that were floating in the Gila River and threatening to damage the I-10 bridge or dam the river, making water spill onto the interstate.

A DPS spokesman, Sgt. Rick Knight, said the explosives made 3-foot holes in the metal tanks, which were about the size of the gasoline tanks carried on trucks. The tanks,

one marked "oil" and the other marked "water," were empty, Knight said.

Residents in harder-hit areas, meanwhile, just waited for the worst to get worse.

Gale White, 21, of The Flats, has been sleeping in the back of her pickup truck for a week.

"I was doing OK until today about noon," White said. "And then something kind of snapped inside me."

Contributing to this article was Frederick Bernudez and Ed Foster of The Arizona Republic.

Car-pool lane toll study pushed

— CAR-POOL, from page B1

going to be practically empty."

State transportation officials are seeking a share of a federal plan that makes \$125 million available for the next five years for "demonstration projects" to reduce traffic congestion. Up to five projects will be selected by June.

If approved, the toll system could probably be in place in the Valley by mid-1994, Semmens said.

Single-occupant vehicles using the car-pool lanes would be outfitted with a monitoring device to determine toll charges. Motorists would pay periodi-

cally through some type of billing system, Semmens said.

An infrared sensor would determine whether there was more than one person in a car, he added.

But some Valley residents wish officials would look for another way to reduce traffic congestion.

"What they really need to do is get more people to car-pool," said Mike Rohr, 51, a data-processing supervisor who commutes from Tempe to downtown Phoenix. "I find it incredible that people watch us go whizzing by, and it doesn't dawn on them that there's something wrong here."

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SHOP TODAY 10 TO 9

Legislative budget proposal calls for difficult cutbacks

— LEGISLATIVE, from page B1

sense to build more parks when you don't have the money to run the parks you have," she said.

But the idea was condemned by Sen. Chuck Blanchard, D-central Phoenix, a leading environmentalist in the Legislature.

"The voters made it clear that they wanted the money spent in very specific ways," he said. "What we are really doing is raiding the Heritage Fund to put \$4.7 million in the general fund."

As expected, the budget calls for removal of undocumented aliens from the AHCCCS program that provides health care for the working poor. That is expected to save about \$40 million.

Hispanic legislators were unhappy, saying the idea opens the door for people with dark skin or poor English skills to harassment by AHCCCS workers.

"How do they know who is undocumented?" asked Sen. Lito Peña, D-south Phoenix. "We all look the same. Everybody is going to be questioned."

"Everybody who looks like they might be an illegal alien is going to have to carry proof. There are many, many people born here who do not speak English fluently."

AHCCCS still would offer emer-

gency care to illegal aliens.

Otherwise, the legislative plan would keep the working poor in AHCCCS, in contrast to Symington's proposal to drop 35,000 of them. But the legislative plan would offer less service to pregnant women and infants, saving \$2 million.

"The most cost-effective thing you can do is provide care for pregnant women," Blanchard said, criticizing the plan.

Some legislators were upset with proposed budget cuts for the universities. The legislative proposal would cut \$11 million from the current year's funding for universities.

"We've already done considerable damage," said Senate Education Committee Chairman Bev Hermon, R-Tempe.

Hermon and Sen. Lela Alston, D-west Phoenix, also were displeased by the plan to eliminate the tuition waiver for university workers and their families. Alston said faculty and staff already are underpaid.

Having state employees take a day off after Thanksgiving is expected to save \$3.5 million. The plan also would decrease the number of employee positions by 141, which Springer said could be done without any layoffs.

It was not all bad news for employees. The plan includes \$1.5 million for prison-guard raises.

There also was good news for the

thousands of General Assistance recipients. The program would not be eliminated, as suggested by Symington. Rather, recipients would be allowed to stay on the program only one year, saving the state \$7 million.

As in Symington's plan, the legislative proposal would eliminate a raise for recipients of Aid to Families With Dependent Children, scheduled for July 1. And it would cut such aid to families receiving a housing subsidy.

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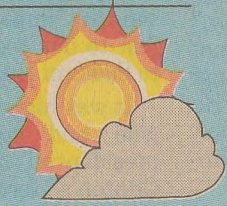
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BEST

Forecast

Low tonight:
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Details / A18



Weather update
271-5656 #3333

Midday

Thursday

January 14, 1993

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Volume 113, Number 68

THE PHOENIX GAZETTE

Saddam pledges holy war on West



CNN via The Associated Press
Iraqi President Saddam Hussein remained defiant on television after Wednesday's air strikes by allied aircraft.

Damage minor, Iraq claims

By Victoria Graham
The Associated Press

BAGHDAD, Iraq — A wounded Iraq declared a holy war against the West today and claimed that a U.S.-led allied air strike on its south killed 19 people but caused little damage to military sites.

A military communique said 15 people were wounded in Wednesday's raids. It said the casualty toll included civilians and military personnel but gave no breakdown.

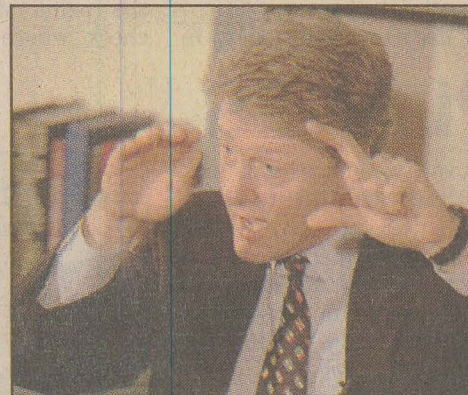
Government newspapers followed up today on President Saddam Hussein's

STRIKE AGAINST IRAQ

The *Al-Thawra* daily, the newspaper of the ruling Baath Party, said President Bush "is trying to bequeath his grave foreign policy blunders and economic recession to President-elect Clinton."

More than 110 U.S., British and French planes flying from bases in Saudi Arabia

announcement that "another battle has started." Their banner headlines pledged to fight "until victory."



The Associated Press

"I think it was the right decision, done in the right way," President-elect Clinton said Wednesday in Little Rock, Ark., of President Bush's order for an air strike against Iraq.



and the U.S. aircraft carrier Kitty Hawk took part in the raid.

U.S. officials said that based on reports from returning pilots, Saddam lost much See ■IRAQ, Page A2

U.S. warplanes patrol Iraq skies day after raids

By Frank Bajak
The Associated Press

U.S. warplanes were back over southern Iraq today, assessing the damage from their night raid on radar and missile sites and vigilant for signs of Saddam Hussein's threatened retaliation.

Iraq claimed its losses were slight in Wednesday's 30-minute attack by Ameri-

- Clinton support stymies Iraq, A2
- Congress backs strike, A2
- Oil woes for America West? C1

can, British and French planes in the no-fly zone of southern Iraq. But U.S. pilots returning from the mission said they'd destroyed most of their targets in what one termed "a big laser light show."

The American jets were taking pictures See ■PLANES, Page A2

Use of slur with canine called OK

Peoria panel to decide on officer's suspension

By Diana Balazs
THE PHOENIX GAZETTE

PEORIA — An officer's use of a racial slur to call a police dog does not warrant his suspension, a city-appointed hearing officer has concluded.

Officer James Hopson was suspended for 15 days without pay in August 1991 for using the word "nigger" while calling one of the department's two police dogs during a December 1990 shift briefing.

The department's only black officer, Anthony Moore, was in the room.

Hearing officer Janet Feltz has recommended that Hopson's suspension be rescinded. The city disagrees, City Attorney Steve Kemp said.

While the incident "was unfortunate," the use of the word to the dog "was an apparently legitimate use of the word in the context in which it occurred," Feltz concluded in her report.

She said training Numi to respond to the term "is certainly questionable," but See ■OFFICER, Page A9

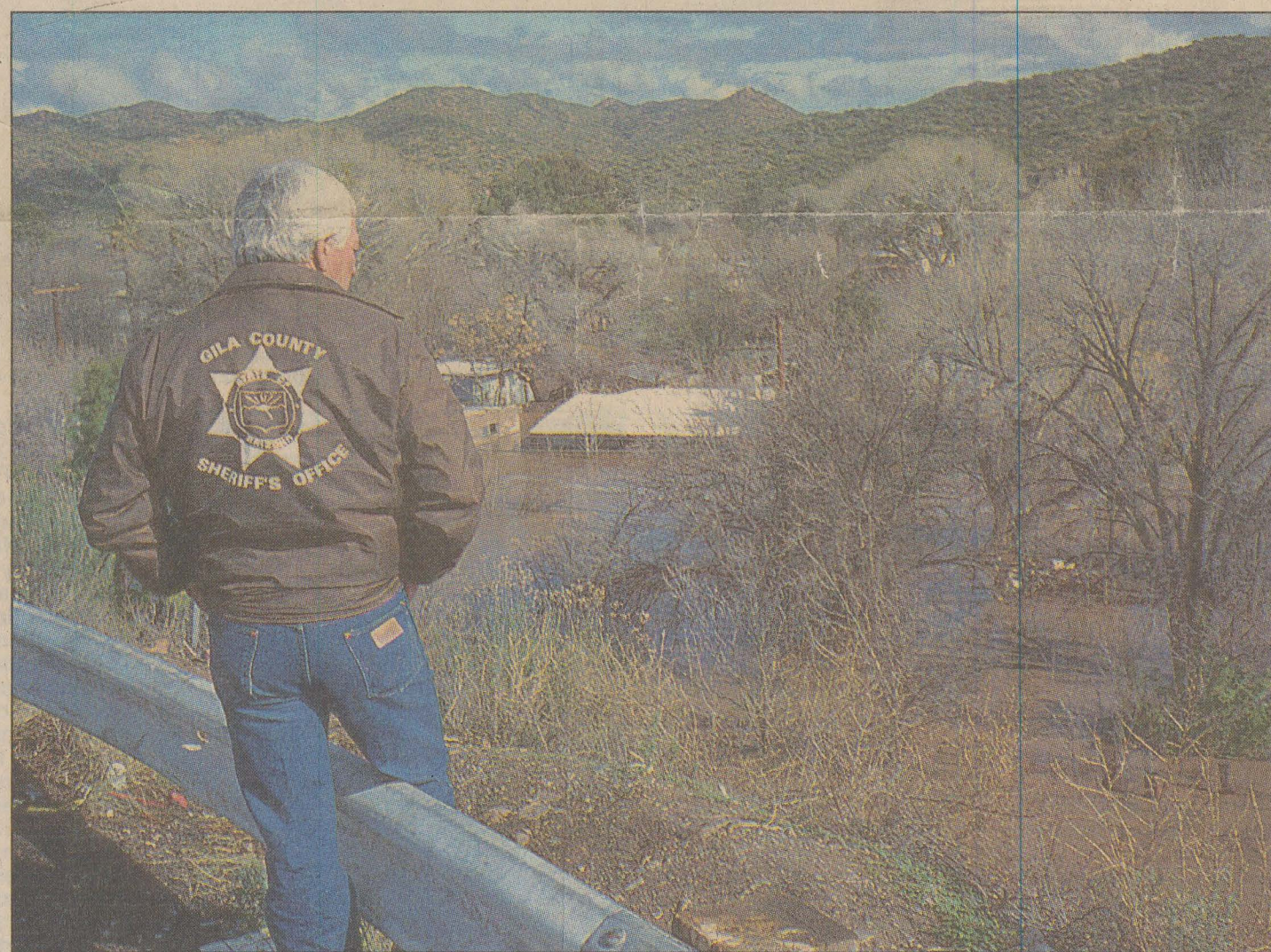
Attorney general nominee hired 2 illegal aliens

By David Johnston
The New York Times

WASHINGTON — Zoe Baird, President-elect Clinton's nominee to be attorney general, employed two Peruvians living illegally in the United States for nearly two years, government and Clinton transition officials said Wednesday.

Transition officials said the couple began working for Baird as a baby sitter and part-time driver in the summer of 1990, when she was about to take a job at Aetna Life and Casualty in Hartford, Conn. The husband stopped working for Baird in March, but his wife continued to See ■BAIRD, Page A14

Gila County scrambles for disaster plan



James Garcia / THE PHOENIX GAZETTE

After nearly 400 residents of The Flats section of Winkelman were evacuated, Gila County sheriff's deputies could only stand and watch as the Gila River gradually flooded the area's homes.

Everyone ready for dam failure, not flood crisis

By Victor Dricks,
Brad Patten and Glen Creno
THE PHOENIX GAZETTE

With water just 17 feet from the top of the Coolidge Dam, emergency planners are scurrying to fill in the blanks on an plan for dealing with flooding along the Gila River.

Gila County has a plan for dealing with a collapse of Coolidge Dam, but no strategy for dealing with the gradually escalating crisis people there now face, Carmen Corso, director of emergency services for Gila County, said Wednesday.

Unlike Maricopa County, which has a detailed engineering analysis for its dams that spells out the consequences of various disaster scenarios, Corso concedes he is shooting from the hip in safeguarding the public.

"We're doing OK so far," he said. "We haven't lost any lives. But a computer model of the Gila River and how it might behave would help us tremendously in evaluating the overall situation."

It's the kind of work he says should have been done long ago.

"I asked the state for this and I don't know who is working on it, but I'm sure hoping to get it soon," Corso said.

The dam is handling the highest flows since major flooding in 1983, but officials downplay the possibility it will collapse. Coolidge Dam, built 63 years ago, was labeled the most dangerous federal dam in a 1989 Interior Department report.

"This is not the best time to develop a plan, in the middle of an emergency like this," said Chuck Morfoot, a spokesman See ■FLOOD, Page A8

Inside / A8

Governor offers relief funds, but Winkelman residents say aid won't be enough. Officials use explosives to sink floating tanks.

Flooded dump no health threat, EPA says

By David Hoyer
THE PHOENIX GAZETTE

Despite a decade of hazardous-waste dumping at the Tri-City Landfill, federal inspectors say garbage snatched from the dump by floodwaters poses no threat to public health or the environment.

Environmentalists immediately questioned such a finding, saying there is no difference between the Indian-owned

landfill north of Mesa and the city of Phoenix's 19th Avenue Landfill, which is a federal Superfund site.

"I really question their sampling plan and methodology, that they could say a few hours after sampling that they don't see any problem," said Jim Lemmon, a former state environmental official.

On Wednesday, U.S. Environmental Protection Agency spokesman David

Schmidt said tests conducted at the Salt River Pima-Maricopa Indian Community landfill found that mostly concrete, wood and paper have fallen into the Salt River.

"They did not see any hazardous (substances), but they are going to continue looking tomorrow at other sites along the river," Schmidt said.

See ■LANDFILL, Page A18

INSIDE TODAY

Lottery: Lotto
6-15-18-31-39-41

Sports

Hot tickets, but available

With all the hype, you might be surprised to learn that tickets are available for Cactus League games.

E1



Metro

An alternative to the governor's budget calls for state workers to take off the day after Thanksgiving without pay.

B1

Business

A new process of extracting copper has helped Arizona mining companies' profits.

C1



VOICES OF THE GAZETTE

Dennis Wagner

George Peterson already had mental problems when they told him he was a murderer.

B1

Barbara Holsopple

"Late Night" host David Letterman reportedly will leave NBC and move to CBS in June.

D8

Joe Gilmartin

Except in rare cases, there really is no such thing as a good coach or a bad coach.

E1

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What's going on?

Q What prompted the allied strike against Iraq?
A Iraq has persistently violated cease-fire agreements reached in the aftermath of the Persian Gulf war, according to the United States.

Earlier this month, Saddam moved surface-to-air missiles into a U.N.-declared no-fly zone and sent Iraqi raiders into territory ceded to Kuwait, where they seized missiles and other military equipment.

Q Why is Saddam still capable of military provocations, despite the allied victory in the Persian Gulf war two years ago?

A Allied troops routed Iraqi forces in Kuwait and southern Iraq but stopped short of seizing control of the country and disarming it.

Bush said the allies had accomplished their mission of freeing Kuwait, which had been invaded by the Iraqis.

"They (the allies) made the decision to stop at a hundred hours (of ground combat)," said Arizona State University math professor Harvey Smith, an analyst of strategic military policy for 40 years.

"It let the Iraqis save a good part of the army. . . . We've never done anything to his (Saddam's) conventional weapons. We haven't gotten all the Scuds (ground-to-ground missiles). He still has a lot of armor (mostly tanks)."

Q What did Saddam hope to gain by his provocations?

A It's an effort to recover his honor, in the view of William Voris, a professor in Middle East studies at the American Graduate School of International Management in Glendale.

"Saddam was terribly shamed when he was forced to withdraw from Kuwait," said Voris, a former president of the school.

"His honor compels him to continue to struggle. . . . It's an Arab who is leading an Arab nation and trying to be the new Saladin, the Arab who would stand up against the Crusaders." Smith speculated that Saddam might use the allied attack Wednesday as an excuse to resume firing Scud missiles at Israel.

"He knew that Bush had to respond (to the Iraqi provocations). Unless he had something up his sleeve, he was an idiot to do it."

By firing Scuds at Israel, Smith said, Saddam could create division among the allies.

Israel would probably retaliate militarily rather than rely, as it did during the gulf war, on allied protection, he said.

Q Could Saddam be planning to invade Kuwait again?

A "I doubt he could pull that off," Smith said. "You need military genius, which I have never perceived to be on the Iraqi side."

Voris agrees that Saddam doesn't have the ability to conduct "any kind of a major strike."

But he believes that Saddam eventually will try to retake Kuwait, over which the Iraqi leader continues to claim some sovereignty.

In the meantime, Voris said, Saddam will continue harassing the allies.

"The one thing he is not going to do is sink back in some lair and not be heard of again. He's going to keep it up as long as he lives."

Written by PHOENIX GAZETTE reporter Ray Schultze, with information from GAZETTE news services.

Show of solidarity

Bush actions, Clinton support indicate continuity in U.S. foreign policy

By Tom Raum
 The Associated Press

LITTLE ROCK, Ark. — President-elect Clinton's blanket endorsement of the allied military strike on Iraq signals to Saddam Hussein a continuity between incoming and outgoing U.S. administrations the Iraqi leader might not have expected.

The show of solidarity also gave the Democratic president-elect an early chance to show his resolve to deal with foreign crises decisively, despite his well-publicized determination to throw himself into dealing with the nation's economy and other domestic issues.

Bush's decision Wednesday, in

ANALYSIS

his final days as president, took some of the pressure off Clinton to seize the initiative in dealing with Iraq right after taking office.

But Clinton inherits a vexing problem in the complex issue of long-range stability in the volatile Persian Gulf and what role the United States should play.

Should the United States continue to play peace keeper there? Should it condone the rearming of Iraq? What if Iraq splits in two?

For the time being, "We got to the point of check and double check, where something had to be

done," said Robert Hunter, an analyst at the Center for Security and International Studies in Washington.

"And it was better that it was done by Bush rather than by Clinton," Hunter added. "But that does not relieve Clinton of the problem of what to do next."

Saddam's provocative behavior in violating post-gulf war U.N. resolutions was widely seen here and in Washington as an attempt to take advantage of the changing of the guard.

But if he expected to find a less-confrontational atmosphere with Clinton, he miscalculated, Bush and Clinton said.

"I think it was the right decision, done in the right way," Clinton said. He said he would not rule out additional force against Saddam once he takes office. "He keeps, for reasons I don't understand, pushing and pushing," Clinton said.

In Washington, Bush told reporters during an Oval Office picture-taking session: "I've said before that we were determined that Saddam Hussein will abide by the United Nations resolutions, and we're very serious about that. And I can say with confidence here, and I think it's important, that I'm confident that Governor Clinton . . . feels that way, too."

Statements out of Little Rock send an "important message — not just to our coalition forces . . . but to Saddam Hussein," Bush said.

It was high praise from someone who had spent much of the presidential campaign slamming Clinton's foreign policy credentials.

Clinton and Bush advisers maintained contact on the situation, and by all accounts Clinton and his team were kept informed of all developments.

Clinton on Wednesday said he was prepared to inherit the tense standoff with Iraq, the deployment of U.S. troops to Somalia and other global problems.

PLANES

today to verify damage and look for signs Iraq would try to strike back.

Washington has made clear it is prepared to resume air strikes if Saddam does not stop threatening U.S. air patrols and defying the United Nations.

The raid was President Bush's warning to his Persian Gulf war nemesis that although he has just a week left in office, he will not tolerate further Iraqi violations of the U.N. cease-fire resolutions that ended the war.

It appeared doubtful that the Iraqi leader's actions would match rhetoric that recalled the bellicose speeches he delivered two years ago before a far more powerful U.S.-led force drove Iraqi occupiers from Kuwait.

The Pentagon said it was flying 1,300 soldiers from the 1st Cavalry Division at Fort Hood, Texas, to Kuwait.

The raid on Iraq is not expected to delay the return of the 944th Fighter Group, a unit from Luke Air Force Base temporarily stationed at Incirlik Air Base in southwest Turkey.

The unit is monitoring a no-fly zone in northern Iraq. Luke officials said the unit is made up of Air Force reservists and was sent to Turkey in November. About 100 pilots and support staff went. The unit is due to return Monday or Tuesday.

A third of the planes involved in Wednesday's raid came off the USS Kitty Hawk in the Persian Gulf.

Today squadrons of warplanes catapulted off the carrier, flying daylight patrols over the same areas they bombed a day earlier.

"It's not over; we will maintain our vigilance," said Capt. James Maslowski, the carrier's skipper.

He said further attacks were possible if reconnaissance flights determined that the targeted radar and missile sites were not disabled.

The carrier launched 63 aircraft today, about half of them flying over southern Iraq.

Maslowski, 49, of Virginia, Minn., said that if the sites remain inactive, "I would say we have accomplished the mission."

Pilots flying missions today seemed relaxed, but some expected Iraq to try to fight back.

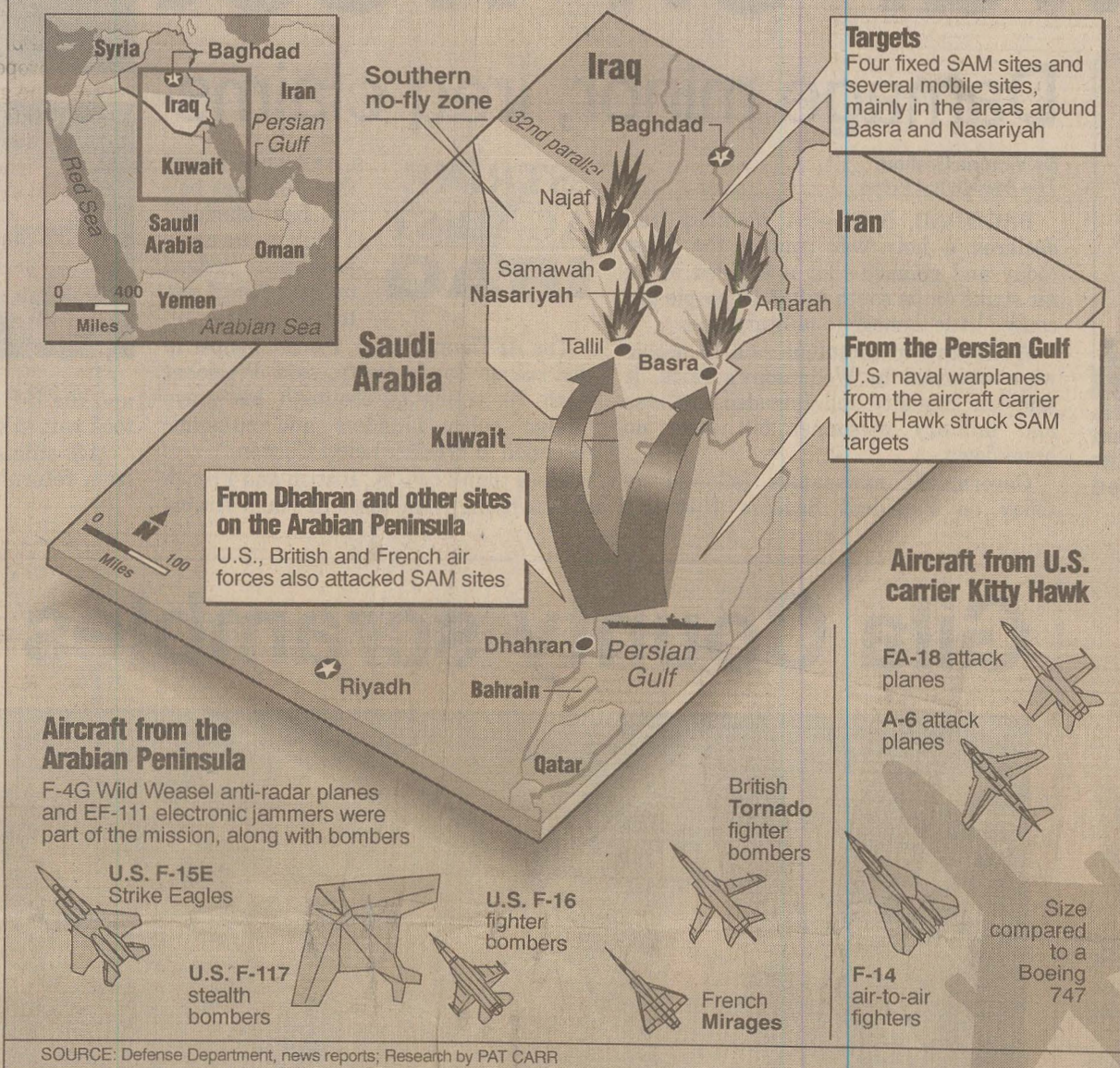
"We are waiting and ready for any kind of retaliation from Mr. Hussein," said Cmdr. Bob King, leader of an F-14 squadron.

"I think today he might try and overwhelm one of our smaller combat air patrols out there," King, 42, of Paris, Tenn., said.

The Kitty Hawk's squadrons

Allies strike Iraqi missile sites

The U.S. and its allies attacked Iraqi surface-to-air missile (SAM) sites in south Iraq Wednesday in response to President Saddam Hussein's defiance of U.N. resolutions and U.S. ultimatums.



Ron Coddington / Knight-Ridder Tribune News Service

reported clear weather over southern Iraq today — the raid was initially to have gone off Tuesday night but was canceled by bad weather.

Pilots reported no hostile Iraqi activity today. Saddam still retains a formidable air defense system, along with 150-200 combat aircraft.

Before the 1991 war, he had 700.

Back unscathed from delivering their explosive message on Wednesday night in the largest military action against Iraq since the gulf war, U.S. pilots were beaming.

"It was like a big laser light show," said Cmdr. Kevin Thomas, 39, of Bernardsville, N.J., who commands an F/A-18 Hornet squadron.

Includes information from GAZETTE reporter David Rossmiller.



Laurent Rebours / The Associated Press

Lt. Doug Higgins, 32, of San Diego, pilot of an F-14 Tomcat, checks his pistol aboard the USS Kitty Hawk on Wednesday before leaving on a raid against radar and missile sites in southern Iraq. Higgins and the rest of the carrier's fliers returned safely four hours later. The carrier's planes were patrolling the skies of southern Iraq today, assessing damage and looking for signs of Iraqi retaliation.

Congress hopes strikes send warning to Somalis, Serbs

WASHINGTON (AP) — Members of Congress welcomed Wednesday's air strikes against Iraq, and Senate Minority Leader Bob Dole said the move should send a message, as well, to those fighting in Somalia and the former Yugoslavia.

"Let's also hope that the warlords in Somalia, and dictator (Slobodan) Milosevic in Belgrade get the message, too: When the United Nations speaks, it means

business," said Dole, R-Kan.

President Bush's national security adviser, Brent Scowcroft, made a round of calls to congressional leaders Wednesday to advise them that the attack was imminent, leadership aides said.

"The message . . . should be clear: Democrats and Republicans, the Bush administration and the Clinton administration, will not tolerate violations of the U.N. resolutions," said House Majority

Leader Richard Gephardt, D-Mo.

Sen. John McCain, R-Ariz., said Saddam Hussein made a gross misjudgment in testing America a week before President-elect Clinton takes office.

"He (Saddam) did not understand that we make transitions peacefully," McCain said.

"All if us are very pleased Bush and Clinton are totally in agreement," he said of the raid by U.S. and allied air forces on missile

sites in Iraq.

Sen. Dennis DeConcini, D-Ariz., joined McCain in praising the action. DeConcini said Saddam provoked the attack.

"His continued defiance of the United Nations has rightfully brought today's allied response," DeConcini said. "We should be ready and willing to respond with further military action if Saddam continues to violate the U.N. mandate."

Rep. Jon Kyl, R-Ariz., also praised the air strike, but said it addresses just part of the problem.

He said Saddam may be trying a "good cop-bad cop" routine on the eve of the Clinton inauguration.

"He now may try to show a good side to Clinton," said Kyl, who sits on the House Armed Services Committee.

Includes information from THE PHOENIX GAZETTE staff.

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27 House members ask court to overturn salary increase

By Katherine Rizzo
The Associated Press

WASHINGTON — Twenty-seven members of the House are asking the courts to revoke an automatic \$4,100 congressional pay raise this year.

Their petition to the U.S. Court of Appeals on Wednesday claims the cost-of-living adjustment, as mandated by a 1989 law, violates the new 27th Amendment to the Constitution.

The challengers appealed a December ruling by U.S. District Judge Stanley Sporkin, who said the 1993 salary increase to \$133,600 comported with the amendment, ratified in May.

That amendment says: "No law varying the compensation for the services of the senators and representatives shall take effect until

an election of representatives shall have intervened."

John Armor, an attorney representing the American Constitutional Law Foundation, which organized the lawsuit, said he would argue again in the appeal that the new amendment rules out raises that haven't been approved specifically — one at a time — by a prior Congress.

"The Constitution is supreme," he said.

But Sporkin accepted the argument that cost-of-living increases authorized by the 1989 statute do fall within the constitutional guideline, even though the specific amount can vary from year to year depending on the inflation rate.

The judge said in his opinion that automatic yearly salary adjustments were superior to the old system of letting lawmakers earn

extra money by collecting payments for making speeches.

He called the raises "a small price to pay for good, honest government," and told of seeing a lawmaker accept an envelope full of cash after giving a speech. From the bench, he praised the negotiators who made that illegal in exchange for higher congressional pay and yearly COLAs.

"To abandon the system created by the act would rebroadcast the message that our legislators are for sale to the highest bidder," the judge said.

Armor said he planned to argue that Sporkin should have based his ruling solely on the attorneys' arguments. Whether the automatic-increase law is good, policy "is totally irrelevant," he said.

Lawmakers were paid \$129,500 last year.

Study: Dirty air at U.S. parks

WASHINGTON (AP) — Scenic and seemingly pristine national parks such as Yosemite and the Grand Canyon have something in common with America's urban sprawls: dirty air.

A two-year National Academy of Sciences study concluded Wednesday that virtually all the nation's federal parks and wilderness areas are victims of air pollution at least parts of the year.

The study said Congress in 1977 directed that goals be developed to protect visibility in national parks, but "relatively little progress has been made" and the problem, in fact, has become worse.

The study didn't rank parks by severity of pollution, nor did it give many examples of visibility deterioration. But the authors said haze caused by man-made pollution affects virtually all of the parks to some degree during certain times of the year.

The U.S. Park Service has cited such well known landmarks as the Grand Canyon in Arizona, Yosemite in California, the Great Smoky Mountain Park in North Carolina and Tennessee and Acadia National Park in Maine as having severe haze problems periodically.

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ROBINSON'S



Tom Tingle / THE PHOENIX GAZETTE
BEFORE: The part of Winkelman known as The Flats was relatively dry Tuesday . . .



James Garcia / THE PHOENIX GAZETTE
AFTER: But Gila River water from Coolidge Dam hit the area, and the rest of the town, on Wednesday.

Under water in WINKELMAN

Symington vows state help, but residents doubt it will be enough

By Michael Murphy
THE PHOENIX GAZETTE

WINKELMAN — Gov. Fife Symington declared the flooded area of town “a stunning sight” and said he is releasing \$100,000 in state funds for housing relief.

But some of the nearly 400 residents evacuated from their homes expressed skepticism that the funds would provide adequate relief.

“It’s not enough,” said Guillermo Chavez, 72, who lost his home in The Flats. Chavez said he has no flood insurance and little in savings.

“I don’t know what I’m going to do,” he said. “My home will be completely gone by

the time the flooding has finished.”

About 300 Winkelman residents were evacuated Wednesday from homes that had been thought safe from the rising water. Others were evacuated last week. By late Wednesday, water covered rooftops of some houses in The Flats, a low-lying section of town next to the river.

Symington, who arrived in a National Guard helicopter Wednesday evening, said, “It’s the first time I’ve been face to face with a flood and seeing so many homes under water since my stint in the war. It’s a stunning sight.”

The governor served a tour of duty in Thailand in 1970.

Symington, who plans to return to

Winkelman Friday, said the funds would come from the state Commerce Department.

He also plans to seek federal emergency assistance.

About 100 evacuees gathered at the Hayden Winkelman High School cafeteria, where the Red Cross provided meals. Others huddled at the gymnasium, where cots had been set up.

One evacuee, Jerry Bracamonte, also wondered whether the \$100,000 would go very far to help repair 140 homes damaged by water in The Flats area.

“That’s not very much,” she said.

Another evacuee, however, said, “Every little bit helps.”

Bob Lorona, who was sharing a meal with his wife and two children at the cafeteria, said although their home, purchased only two years ago, will be a total loss, they plan to stay in Winkelman.

“We don’t have anywhere else to go,” he said. “We’ve got many friends here and family. Everybody pulled together.”

Bonnie Mariscal, 30, agreed, saying, “If they were trying to locate us, where are they going to put us?”

“I don’t want to leave the area. I grew up here,” said Mariscal, who, along with her husband, Pablo, and five children, were evacuated from The Flats and had been sleeping in the gym.

Mariscal, who has no flood insurance,

said many residents are worried they will never get back into their homes.

“From what they tell us, the waters won’t recede for 10 days,” she said.

The town of about 1,000 has been swamped by water releases from Coolidge Dam, about 20 miles upstream from the Gila River, as well as from the San Pedro River, which joins the Gila at Winkelman.

Chavez, who said his wife had to be hospitalized during the evacuation, was not as optimistic. A retiree who spent 43 years in the Hayden mine, Chavez said he had only \$4,000 with which to rebuild.

“My wife is taking it very, very serious,” he said. “She’s crying because we’ve got no insurance, no money.”

DPS sinks tanks headed for bridge

I-10 traffic at Gila River crossing backs up 3 miles during wait

By Glen Creno
THE PHOENIX GAZETTE

The fight against flooding in Arizona became a brief shooting war Wednesday when state police officers blew up two huge tanks floating toward a bridge on the

Gila River.

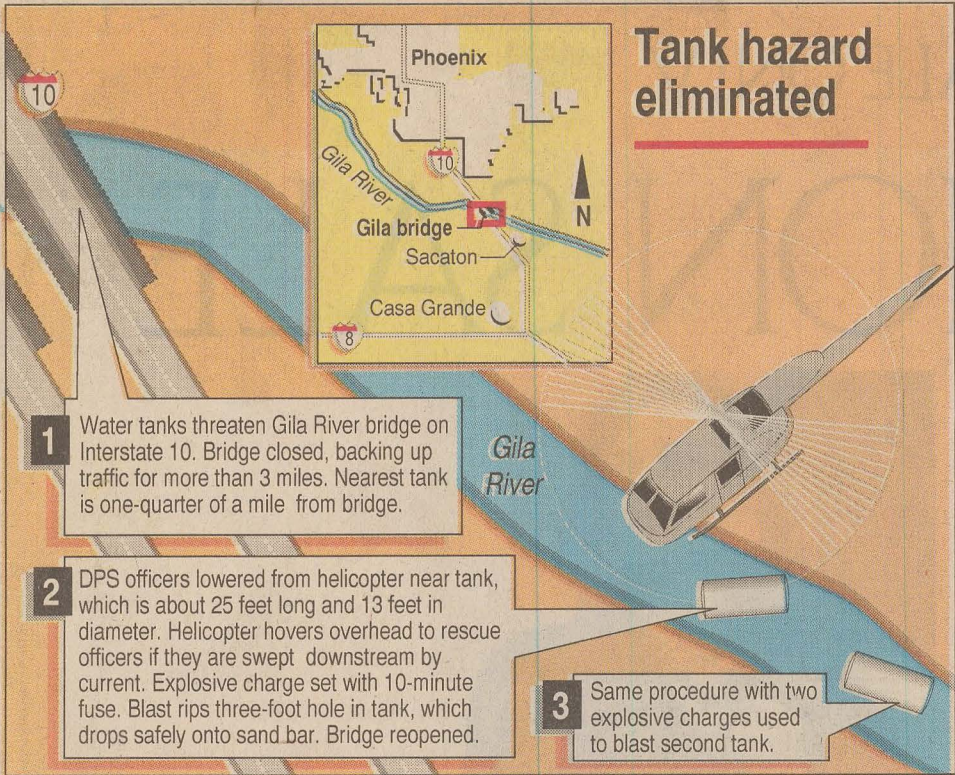
Sgt. Rick Knight, a Department of Public Safety spokesman, said officials don’t know where the tanks came from. But they became a focus of a major multiagency operation when they threat-

ened the Interstate 10 bridge that crosses the river near Bapchule.

Two state Department of Public Safety explosive experts jumped from an Army National Guard helicopter into the shallow water near the tank closest to the bridge at about noon. A DPS helicopter hovered between them and the bridge to rescue them if they were seized by the swift current.



KTVK-TV (Channel 3)
DPS demolition experts are lowered Wednesday into the flood-swollen Gila River. They used explosives to blow holes in two tanks floating toward the Interstate 10 bridge, scuttling them. Photo was taken from TV video.



THE PHOENIX GAZETTE

FLOOD

for the Bureau of Reclamation.

“But we’re doing what we can. We have been requested to put together a detailed model of how the Gila River may behave under various weather conditions, and that’s what we’re doing.”

Corso said Gila County officials had not prepared such a plan because computer modeling is expensive.

People have been evacuated in several communities along the river. Tensions are increasing as people confront the uncertainty of how much water will be released and whether storms heading for the state will significantly add to the flow.

Gov. Fife Symington visited Winkelman Wednesday. The small town is the closest community to the Coolidge Dam and was the first flooded by increased water flows.

National Guard military police cordoned off a low-lying area known as The Flats, where an estimated 300 residents had been evacuated. In some areas, water was over the tops of houses.

“I’ve never seen it like this,” Gila County sheriff’s Deputy George Brunson said. “We’ve had a lot of floods, but I don’t think I’ve seen that much water.”

The sheriff’s department ordered more residents and businesses to evacuate Wednesday, bringing the total to leave to about 400.

Residents huddled in the Hayden Winkelman High School cafeteria, where the Red Cross provided hot meals.

“In 1983, they called it a 100-year flood. What is this?” David Lagunas, the school’s principal, asked.

Many residents, whose homes appeared

“We loved our home. We were very comfortable. . . . Now it’s gone. We will stay in Winkelman, one way or another.”

Ernie Lorona
Evacuated with her husband and two children

to be a total loss, did not carry flood insurance.

“We loved our home. We were very comfortable. . . . Now it’s gone,” said Ernie Lorona, who evacuated with her husband and two children. “We will stay in Winkelman, one way or another.”

About 700 people gathered Wednesday night at a town meeting in Kearny. Mayor Ken Huish pleaded with the crowd to ignore rumors and stay calm.

“Please, please, I beg you not to panic,” he said.

Sixty houses and 25 businesses were evacuated in the city. The Red Cross set up an emergency shelter at a church to provide food and housing.

Brad Gair, director of the Pinal County Flood Control District, told the gathering that The Flats in Winkelman, Kearny, a small part of Florence and the Gila River Indian Reservation probably would bear the brunt of the flooding.



James Garcia / THE PHOENIX GAZETTE
Pauline Valdez (foreground) takes advantage of the shelter offered at Hayden Winkelman High School Wednesday. About 42 people are using the facility, but most evacuees appear to be staying with family or friends.

The reservation is particularly vulnerable because most of its land is flat, while many of the cities along the river are built mostly on hills.

“Everyone is talking about Winkelman now, but the reservation is likely to be the hardest hit,” Gair said.

Urban Giff, community manager for the Indian community, said about 100 people have been evacuated. The reservation is operating under a state of

emergency.

Telephone service to most of the reservation was knocked out when a cable that ran through the river bottom washed away. All grade crossings and many of the bridges leading into the reservation are closed, Giff said.

Giff said he was most concerned about people moving back to flooded areas when the river recedes. He expects more water surges before the weekend is over.

from the bridge, was taken care of. Knight said authorities figured the second tank was far enough away and not a threat to spray traffic with chunks of metal.

Personnel from the DPS, the state departments of Transportation and Environmental Quality, the National Guard and the Phoenix Fire Department were at the scene. Knight estimated the tanks were about 13 feet in diameter and 25 feet long.

He said there were three concerns: The

From A1

“We’re trying to encourage families not to return to their homes until Sunday,” he said.

Dam releases were 17,850 cubic feet per second at noon Wednesday, but had dropped slightly by early today to 17,447. The flow was expected to reach 45,000 cfs by 11 p.m. Friday.

Earlier estimates put Friday’s flow at 60,000 cfs but were revised when Wednesday’s storm proved drier than expected. Gair said the big concern is the combination of water releases and rainfall this weekend.

“It’s just a question of timing,” he said.

There are also environmental concerns. A tributary of the river has flooded part of a copper leaching operation.

The leaching spill came from the ASARCO Ray Complex into Mineral Creek, a Gila tributary. Kevin Morano, general manager of the complex, said the spill ran into Mineral Creek at about 1,500 gallons a minute.

The spill came from a concrete leaching pit. Morano said the spill was too small to cause environmental damage because of heavy flows in Mineral Creek.

Giff, though, was concerned.

“If there’s any breach of those ponds it comes right down the Gila and into here,” he said. “We can’t stop it.”

Sewage from a treatment plant in Kearny is flowing into the Gila. Holding tanks at the plant overflowed, but Gair said the water flow is diluting the waste.

Includes information from reporters Michael Murphy and Russ Hemphill.

OPINIONS

Bloody Balkans

If peace plan adopted, U.N. must diligently enforce it

GLOBAL VIEWPOINT

By MILOVAN DJILAS

Djilas was once the vice-president of communist Yugoslavia and one of Marshall Josip Broz Tito's closest colleagues. Djilas was responsible for drawing up the internal boundaries of the Yugoslav federation after World War II. He became a famous dissident, and was imprisoned and later prevented from traveling outside of Yugoslavia because of his criticisms of the communist bureaucracy, perhaps best embodied in his seminal 1957 book, "The New Class." This article was translated from Serbo-Croatian by Cynthia Keesan.

Belgrade

Unless an effective peace can be worked out in the Geneva talks, the war in Bosnia and Herzegovina threatens to spread to the entire Balkan area, to Kosovo and Macedonia — which would inevitably draw Albania into the war as well, and probably also Greece, Bulgaria and Serbia itself.

But this is neither the only nor the greatest threat of this war. Most important, it has shaken the entire international order created by the United Nations and the Declaration of Human Rights. This war has harshly and crucially made the resolution of such issues as national conflicts and human rights essential for world order.

The prospects of success at the peace talks, and the return of semblance of international order, depend on a correct understanding of what drives the conflicts in Bosnia and the other former republics of Yugoslavia.

Indisputably, these conflicts are religious and ethnic, but only as components of nation-state ideologies. The real goal from which there can be retreat for the parties at conflict is formation of new nation-states.

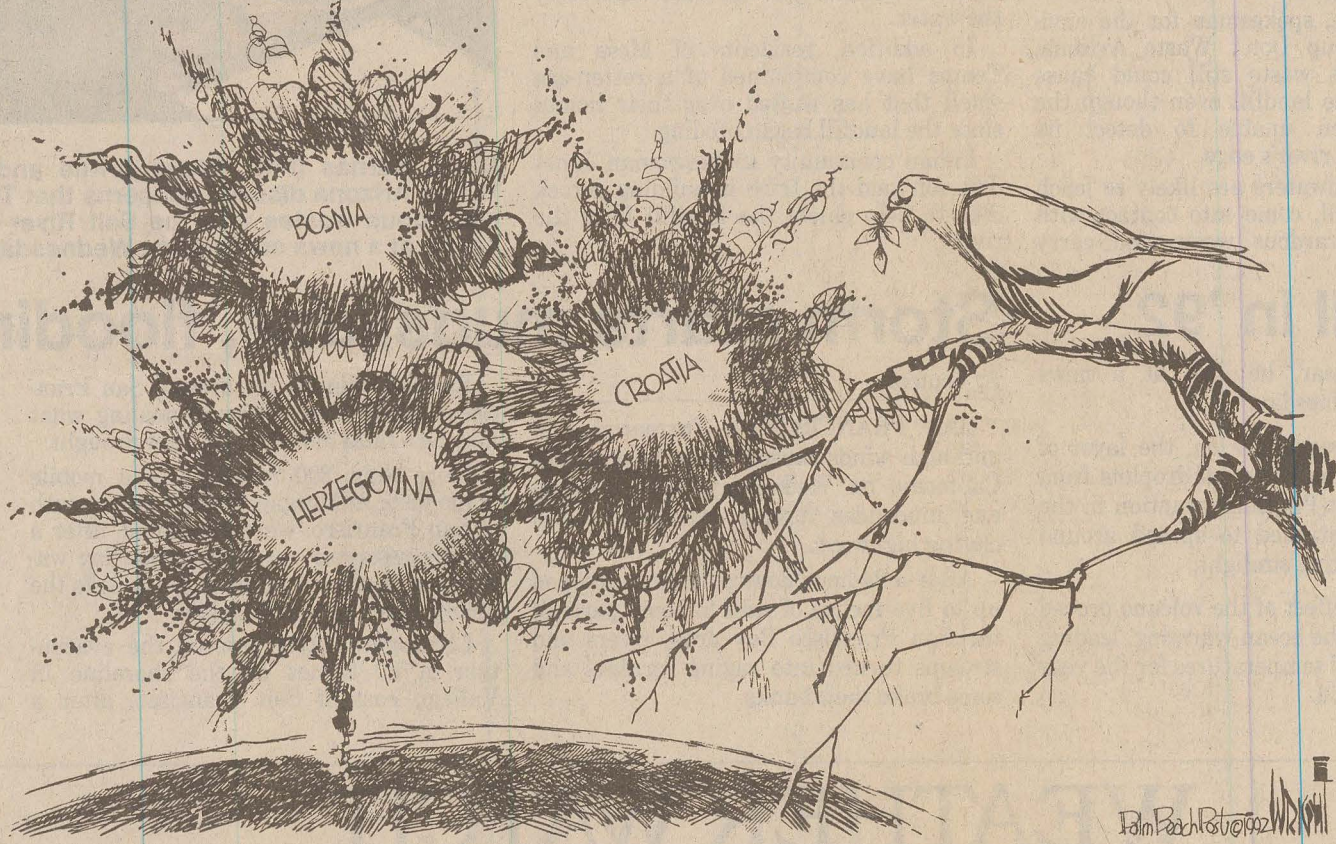
Such a goal cannot be realized without the leadership of extreme, totalitarian national movements. There is no essential difference in this regard between the warring movements or parties of the Croats and Muslims.

The territory of Bosnia and Herzegovina is ethnically mixed, and "cleansing," as pointed out by Mazowiecki, the U.N. representative for investigating human violations in the former Yugoslavia is not a consequence but a goal.

From this that any action cannot assure the formation of a Muslim and Croatian nation with equal status as an autonomous state and thus protected from outside — will meet with resistance.

These fledgling nations and national movements are under the control of ideologically closed parties, they are not achieving mutual understanding or is it easy for the outside world to construct an agreement to which various parties will actually agree.

The message to the rest of the world should be loud and clear:



NO-FLY ZONE

The warring parties in the former Yugoslavia will only submit to arguments of reason if force threatens their national goals or their very existence.

The United Nations and the European Community were very slow in arriving at this understanding. The U.N. was unclear in setting ends and means; its efforts were not synchronized.

This allowed the warring movements to play games and to continue their policies of conquest, in which the Serbs, who were the initiators and who have occupied the greatest area, have the unfortunate dishonor of being at the forefront.

The unforgivable and fatal error of the Security Council consisted of not establishing an equilibrium between the clashing parties, giving some the military and territorial advantage while arousing feelings of injustice among others. This disequilibrium goaded all the parties to be militant and arrogant.

At last, albeit at the latest possible moment, realistic prospects for a settlement are offered in the plan proposed at the Geneva Conference by the U.N. and European Community mediators, Cyrus Vance and Lord Owen.

Although I at first opposed the plan as unrealistic because it did not seem to take into account the ethnic state factor, I changed my mind once the plan was made public. I believe now that the effort to create autonomous cantons in Bosnia-Herzegovina does in fact accommodate that factor in a way that can establish a potentially enduring equilibrium.

For this reason, the Vance-Owen peace plan could provide a way out of the present tragedy, but only if two conditions are met:

■ The warring parties must have a realistic understanding of the implications of their agreement to the plan.

■ If agreement can be reached by the warring parties, the plan must then be decisively, and without reservation, enforced by the United Nations.

As far as I can see, the latter requirement is finally taking shape with a new resolve and urgency in the West. However, it must be recognized that the warring parties are still far from being realistic.

The official figure with the most realistic, indeed tragic, understanding of the position of his own Serbian nation is Dobrica Cosic, the president of the Yugoslav federation.

Although he himself is without doubt a national ideologist — in fact the most important figure to support the unification of all Serbs into a single state — Cosic nonetheless has recently come to the realization that there is no longer any choice for Serbia except to face war as a result of Western intervention in Bosnia or accept the Vance-Owen plan.

Cosic's primary motive in accepting the peace plan is to eliminate the possibility of war from Serbia proper, where the economy is already in a shambles as a result of U.N. sanctions. But he is also well aware that Serbia could not easily stand by and refrain from aiding Bosnian Serbs in the event of outside military intervention against them. Inexorably, Serbia itself would be dragged into war.

However, Cosic's power rests on his considerable personal reputation as a nationalist writer. Actual political authority is in the hands of the president of Serbia, Slobodan Milosevic. That authority has been strengthened by his recent defeat of Yugoslav Prime Minister Milan Panic at the polls, even though Panic had the support of the West.

Milosevic now says he is also in favor of peace. But no one should be naive enough to believe he means anything other than a peace that will not threaten his influence over the

Serbs outside of Serbia proper, mainly in Bosnia and Croatia.

There should be no mistake on the part of the well-intentioned that Milosevic's acceptance of the Vance-Owen peace plan is but a tactical maneuver aimed at preserving the idea of a greater Serbia and gaining time. While Cosic now considers Serbia a prisoner to the fate of the Serbs in Bosnia and Croatia, Milosevic views those Serbs as a component of his policies for a larger state.

If the Vance-Owen plan is accepted by all the parties in Bosnia — which has not yet happened — and an armistice is signed, the world should not lapse into relief and complacency, but must fully understand its follow-up responsibilities in light of the real nature of this conflict.

Neither an armistice nor a more enduring peace in Bosnia and Herzegovina can come about instantaneously. This will be a long process, with disputes concerning boundaries, local conflicts, banditry, the interference of Serbia and Croatia, and difficulties in establishing legal order.

It must above all be understood that, at this late stage of a conflict that could burst into Balkan-wide war, no peace is possible unless the United Nations achieves both the political and military ascendancy necessary to enforce it.

In effect, the most fortunate final solution to this war would be a practical, if not formal, U.N. protectorate in Bosnia-Herzegovina. It must be understood by everyone involved that this is the real implication of enforcing a settlement along the lines of the Vance-Owen plan.

It is not only the price of avoiding a broader war, but the price for the tragic inaction and mis-action of the outside world over the past year.

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CLARENCE
PAGE



Just friends Chelsea Clinton and voucher police

Washington

Local parents and school officials were understandably disappointed that Bill and Hillary Clinton decided to bypass Washington's public schools to send their daughter, Chelsea, to Sidwell Friends, a popular haven for the children of Washington's rich and famous, instead.

But the biggest outrage was expressed by supporters of vouchers. During the campaign, President Bush vigorously supported vouchers, which would give parents the money to shop among public or private schools. Clinton just as vigorously opposed them. The Democratic candidate liked the idea of school choice, he said, but only among public schools.

As a result, former Education Secretary Bill Bennett, always quick with a sound bite, called the Clintons' decision to send their only child to a private school "a good personal decision" but, as a public policy statement, symbolic of "the hypocrisy of the Democratic Party."

The Wall Street Journal editorialized with similar grumpiness: "We understand why the Clintons would exercise this private-school choice, but why don't they want poor parents and children to have the same opportunity?"

Well, as Ross Perot might say, it's not quite that simple.

For one thing, while parents may choose among private schools, private schools also get to choose their students. No voucher plan currently imagined would give parents any sum as enormous as the \$10,800 tuition required at Sidwell Friends.

In fact, much of the support for vouchers comes from conservatives who don't like government very much and hope vouchers will cost less, not more, than what we have now.

In fairness, we must remember that the vast majority of private schools cost a lot less than Sidwell Friends and many do just as good a job of teaching. The average for Washington's Catholic grade schools, for example, is about \$2,500, about \$5,400 or so for high schools.

But, while it's often easy to bash public schools, think for a moment how much better they would be if they had the ability to reject or eject students with behavioral problems, learning disabilities and other special needs as quickly as private schools do. Public schools would not be producing nearly as many of the horror stories so many of us are tired of hearing about.

More important, private schools are, by their nature, self-selective. Parents who take the time and effort to shop for a private school (and participate, more often than not, in a variety of school-related volunteer work) are the type of parents most likely to send their kids to school ready to learn. Public schools in poor neighborhoods can only dream of that level of parental involvement.

So, while voucher advocates hammer the Clintons as "limousine liberals" and click their tongues in sympathy over the poor students left behind by more fortunate elites, vouchers would create a new junior elite that, by taking support from public schools, would leave their students even further behind.

The new junior elite would consist of parents and students not wealthy enough to attend school with Chelsea Clinton, but privileged enough to at least transfer out of public schools and into a newly affordable private school. Good for them, but too bad for the rest.

World War I medical corpsmen had a name for such prescriptions: "triage." It means you help only those who appear to have the best chance of surviving and leave the hardest cases, those who are barely hanging on, to die.

Vouchers sound attractive when we despair the most over the state of urban education in America, but I do not believe our public schools are dead yet. In spite of the horror stories, there is considerable learning going on in public schools.

Look, for example, at New York's East Harlem District 4. It was the city's poorest-performing district a decade ago when school and community leaders got together to make every school in the district a "magnet" school.

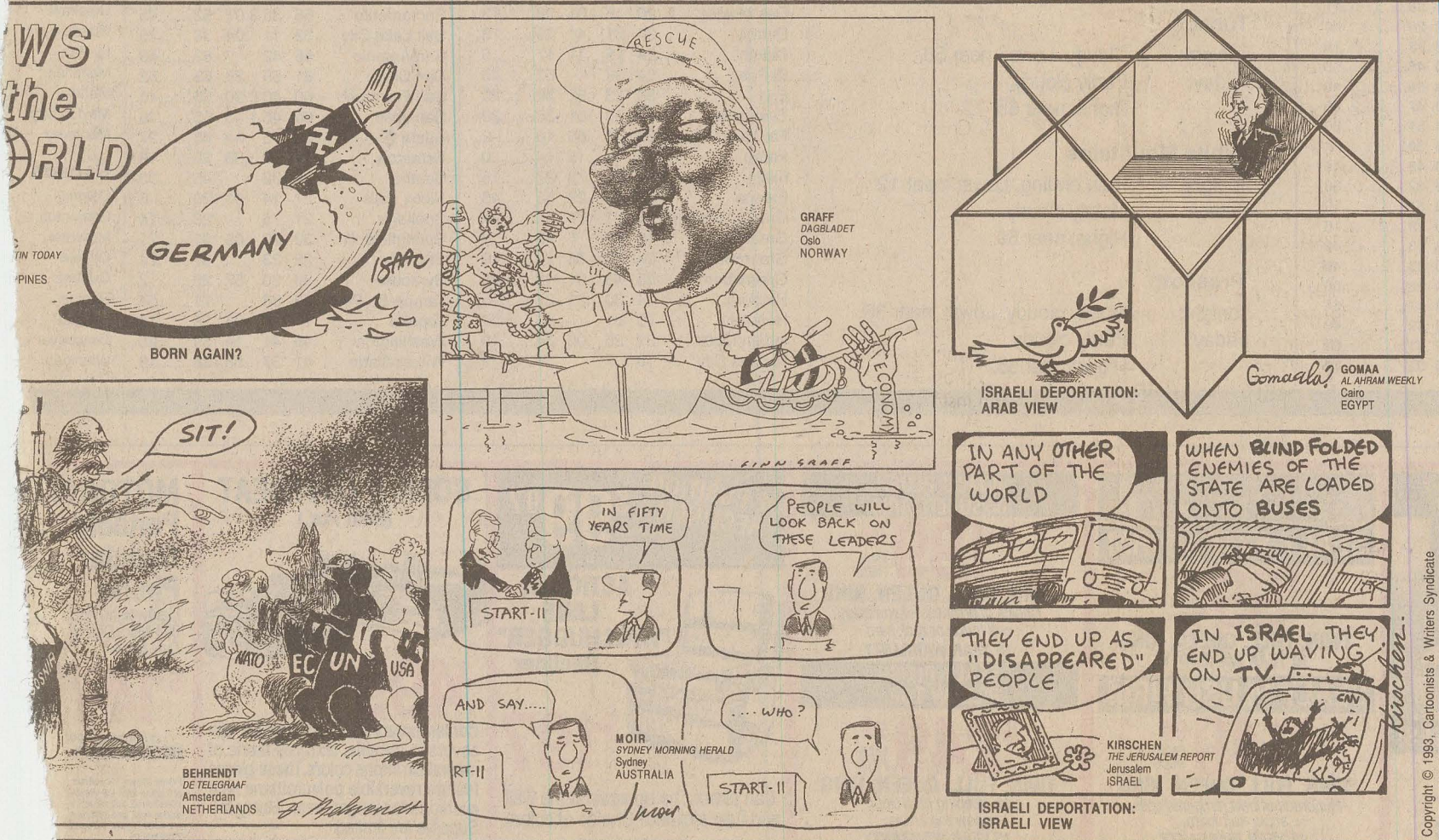
They encouraged competition among the schools, talked school bureaucrats and teachers unions into relaxing unnecessary rules, broke up big schools into smaller schools-within-schools and, perhaps most important, counseled parents extensively so they could make intelligent choices in shopping for schools.

In other words, they implemented "choice," which is not a bad thing to have, without turning to vouchers, and offered parents informed choices among good schools, not phony choices among bad schools. It wasn't cheap, but it works. The district has soared to near the city's top in performance.

Clinton mentioned similar public school success stories on the campaign trail and promised to help create more. Too bad he couldn't find any in the District of Columbia that were good enough (or secure enough) for Chelsea.

But, in the end, his performance as president will be graded not on the education opportunities he finds for his own child, but on what he produces to help everyone else's.

(Tribune Media Services, Inc.)



LANDFILL

"At this point, we haven't found anything that requires a Superfund removal action."

If hazardous materials had been found, the EPA was poised to begin an immediate cleanup of the landfill and river using up to \$2 million in federal Superfund money.

The federal agency would have sought reimbursement by the tribe and its customers, including Scottsdale, Mesa and Tempe.

State officials were pleased at the possibility of an EPA cleanup, because the Indian community has no money for the job and the state has no jurisdiction over the reservation.

John Godec, state Department of Environmental Quality spokesman, said he had not heard from the EPA and had little comment on the agency's findings.

He did confirm Lemmon's claims that hazardous materials were dumped in Tri-City Landfill during the 1970s, when such a practice was legal.

"There are Valley companies that produced hazardous waste and followed the law and told EPA that this is where they took it," Lemmon said.

"As a result of that, the Tri-City

Landfill was nominated to be evaluated for federal Superfund listing," he said. "That process was never completed."

Lemmon helped get Phoenix's 19th Avenue Landfill declared a federal Superfund site after it was found to contain hazardous materials and ran into the same kind of Salt River flooding problems that have plagued the Tri-City Landfill.

"I don't think it's any different," he said.

Lemmon and others believe that Tri-City Landfill would qualify not only for an emergency cleanup using Superfund money, as was proposed by the EPA, but for listing as one of the nation's most dangerous Superfund sites.

That would make the landfill eligible for a long-term cleanup involving hundreds of millions of dollars.

Steve Brittle, spokesman for the environmental group Don't Waste Arizona, said hazardous waste still could cause problems at the landfill even though the EPA has been unable to detect its presence at the river's edge.

He said floodwaters are likely to leach into the landfill, come into contact with pockets of hazardous waste and carry

contaminants into underground aquifers.

"We know the hazardous materials are there," he said. "There's no doubt of that."

Brittle's group on Tuesday filed suit against the tribe and its municipal customers.

The group wants the landfill closed immediately and has demanded that the tribe relocate the portion of the landfill that sits in the flood plain.

The landfill situation has sparked outrage among many in the Valley since last week, when heavy rainfall forced the largest water releases in more than 10 years into the Salt River from Granite Reef Dam northeast of Scottsdale.

The water eroded sides of the landfill, sending tons of garbage into the swollen river. Pockets of methane gas exploded as layers of soil and garbage were exposed by the water.

In addition, residents of Mesa and Tempe have complained of a rotten-egg smell that has wafted over their homes since the landfill began eroding.

Indian community spokeswoman Janet Johnson said the tribe is building a rock dike to help shield the landfill from the river.



David McIntyre / THE PHOENIX GAZETTE

David Karnas (left), Steve Brittle and Patricia Guard-Badenoch of Don't Waste Arizona discuss concerns that Tri-City Landfill flooding could release hazardous wastes into the Salt River or underground aquifers. The three spoke at a news conference Wednesday.

Volcanic ash put a chill in '92

WASHINGTON (AP) — Last year was slightly cooler than normal because volcanic ash blocked the sunlight, offsetting an unusual warming of the Pacific Ocean, according to a panel of climate experts.

Thomas Karl of the government's National Climatic Data Center said the cool year broke a warming trend of the last decade or so.

The Pacific Ocean warming, known as the El Nino-Southern Oscillation, pushed temperatures above normal in the first

half of the year, he said at a news conference Wednesday.

But as the year wore on, the layer of tiny particles and chemical droplets from the 1991 Mount Pinatubo eruption in the Philippines continued to spread around the world, blocking sunlight.

The cooling effect of the volcano proved stronger than the ocean warming, leading to below-normal temperatures for the year overall, Karl said.

Storm starts mudslides, flooding in California

By Reuters

SAN FRANCISCO — Torrential rain and high winds caused havoc in northern California on Wednesday, with flooding and mudslides forcing evacuations and closing highways.

After a 24-hour downpour that dropped up to five inches of rain in some parts of the San Francisco Bay area, rivers and streams turned into raging torrents and some broke their banks.

Rainfall this winter around San Francisco is way above normal, dealing what may be a fatal blow to a six-year drought.

More than 200 residents of a mobile home park in Morgan Hill, 80 miles south of San Francisco, were evacuated, after a nearby reservoir overflowed, pouring water down a creek and making access to the mobile home park impossible.

Local authorities ordered the evacuation of 40 homes on the shoreline in Vallejo, east of San Francisco, after a

mudslide began on a hillside, a Vallejo Fire Department spokesman said.

Strong winds forced officials to restrict operations at San Francisco International Airport, delaying some flights.

The California Highway Patrol said several roads in northern California were closed because of mudslides or flooding.

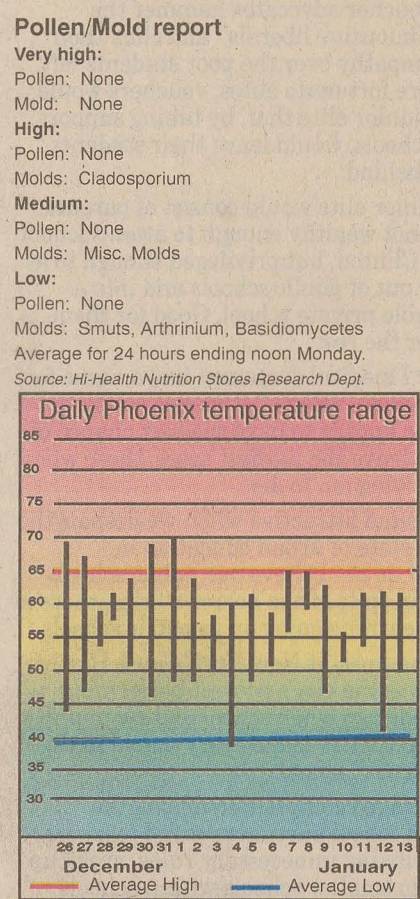
The storm dumped about two more feet of snow on the northern Sierra Nevada, where snowfall is way above average this winter.

Local update

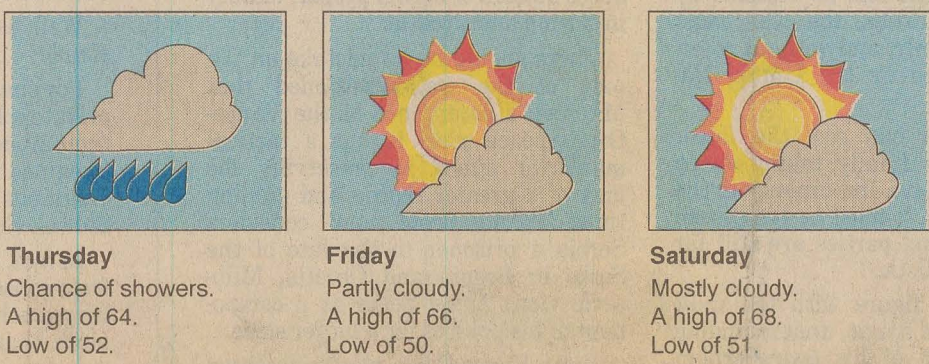
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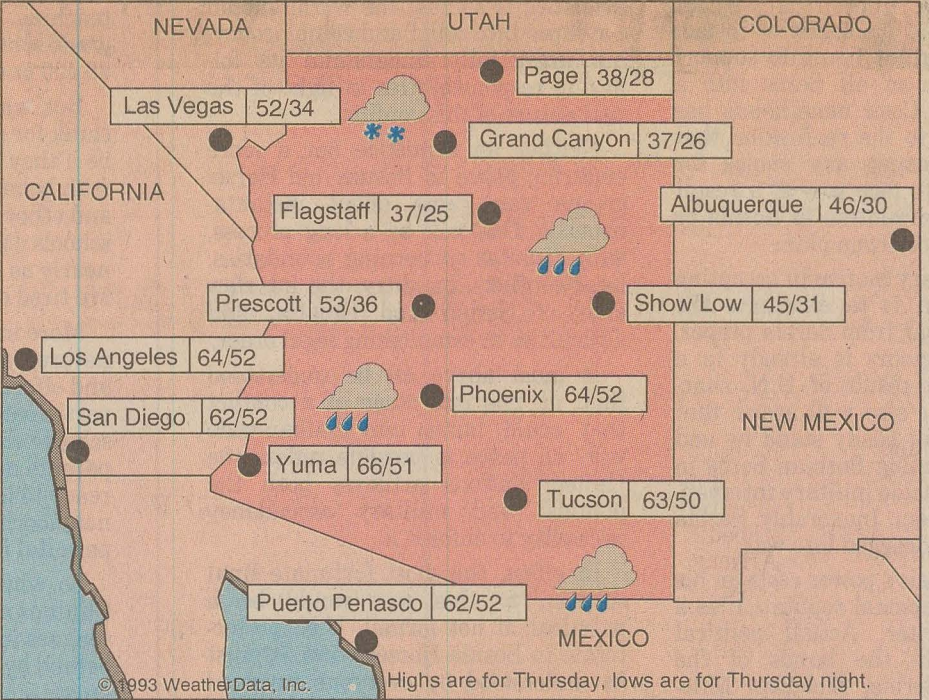
Temperature	
Yesterday's high	62
Yesterday's low	50
Last year's high	58
Last year's low	40
Normal high	65
Normal low	41
Record high (1904)	79
Record low (1963)	20
Precipitation (inches)	
Total yesterday	0.28
Total this year	4.42
Surplus for year	+4.05
Humidity	
Relative humidity (%)	72
Dew point	48
Air quality (past 24 hours)	
Ozone	14
Particulates	31
Carbon monoxide	19
Good air quality	0-50
Moderate air quality	51-100
Unhealthful air quality	101-199
Lawn watering guide	
Amount	0.1
This figure, based on inches, is the amount needed on your Rye grass if you last watered three days ago; less if it has rained recently. More information: call 256-3433.	
Sun schedule	
Sunrise	7:32 am
Sunset	5:43 pm
Sun intensity index: Untanned skin will redden, on average, in 60 minutes at 9 a.m., 60 minutes at noon, and 60 minutes at 3 p.m.	
Pollen/Mold report	
Very high:	
Pollen: None	
Mold: None	
High:	
Pollen: None	
Molds: Cladosporium	
Medium:	
Pollen: None	
Molds: Misc. Molds	
Low:	
Pollen: None	
Molds: Smuts, Arthrimum, Basidiomycetes	
Average for 24 hours ending noon Monday.	
Source: Hi-Health Nutrition Stores Research Dept.	



Phoenix forecast



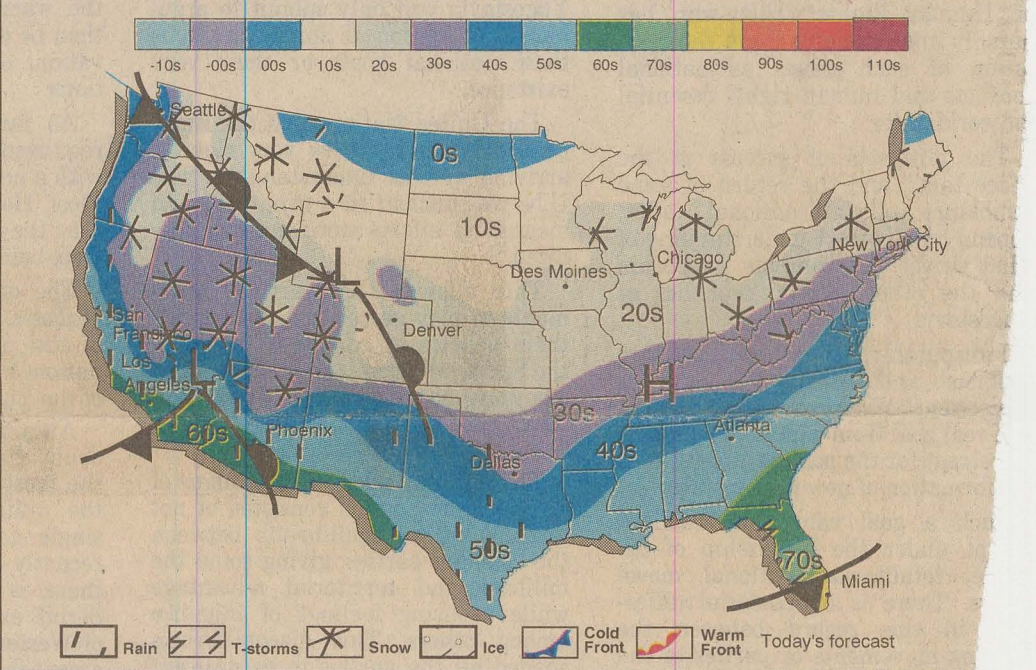
Arizona forecast



Arizona report	WED	H	L	Precipitation
Bisbee	59	45	19	
Buckeye	60	49	21	
Bullhead City	na	46		
Canyon de Chelly	45	21	13	
Carefree	57	45	24	
Coolidge	64	32	54	
Cottonwood	46	36	34	
Douglas	62	48	08	
Flagstaff	38	24	23	
Gila Bend	na	na	na	
Globe-Miami	48	40	53	
Grand Canyon	-1	36	21	
Holbrook	52	29	20	
Kingman	53	38	18	
Lake Havasu	56	48	05	
Laughlin	na	na	na	
Nogales	60	47	38	
Organ Pipe	64	51	80	
Page	35	30		
Parker	60	48	49	
Payson	46	32	30	
Pinetop	40	31	19	
Prescott	50	32	16	
Safford	53	43	42	
Sedona	50	33	46	
Show Low	44	28	06	
Sierra Vista	56	41	61	
Tucson	63	49	48	
Winslow	52	31	01	
Yuma	65	52	12	

Flagstaff	
Tonight:	Snow ending. Lows: near 25.
Friday:	Cloudy.
	Highs: near 38.
Mogollon Rim	
Tonight:	Showers. Lows: near 31.
Friday:	Partly cloudy.
	Highs: near 47.
Tucson	
Tonight:	Cloudy. Lows: near 50.
Friday:	Partly cloudy.
	Highs: near 65.
White Mountains	
Tonight:	Rain ending. Lows: near 12.
Friday:	Mostly cloudy.
	Highs: near 50.
Prescott	
Tonight:	Mostly cloudy. Lows: near 36.
Friday:	Partly cloudy.
	Highs: near 55.

Across the nation



CITY	WED	H	L	P	FRI	H	L
Akron, OH	46	31	1.27	28	18		
Albany, NY	30	24	.81	25	12		
Albuquerque	42	25	.08	49	30		
Amarillo	30	13		47	25		
Anchorage	32	19	.01	27	22		
Atlanta	57	49	.01	45	34		
Atlantic City	48	43	.18	34	20		
Austin	50	37		62	46		
Baltimore	47	42	.22	38	23		
Baton Rouge	61	49		50	43		
Billings	-1	16	T	28	12		
Birmingham	58	43	.01	48	34		
Bismarck	12	9	.01	19	2		
Boise	30	2	.10	34	25		
Boston	36	34	.45	31	20		
Bridgeport	37	34	.59	31	16		
Buffalo	37	30	.77	28	16		
Charleston, S.C.	70	66		51	38		
Charleston, W.V.	56	38	.22	38	25		
Cheyenne	17	4		34	20		
Chicago	33	26	.47	29	18		
Cincinnati	41	29	.07	35	21		
Cleveland	42	30	1.02	29	20		
Colorado Spgs.	17	3	T	28	14		
Columbus, Oh.	45	32	.70	33	20		
Corpus Christi	60	50		64	52		
Dallas-Ft Worth	45	28		42	34		
Denver	25	-3		33	18		
Des Moines	20	16	.01	28	13		
Detroit	36	31	.41	29	18		
Duluth	24	15	.11	17	5		
El Paso	54	36		62	45		
Erie	39	33	.52	30	20		
Evansville	38	35	.01	38	20		
Fairbanks	23	11	.60	10	2		
Fargo	19	16	.15	14	0		
Flint	33	29	.73	27	16		
Fresno	63	40	.29	55	45		
Grand Junction	28	21	.07	35	24		
Great Falls	-10	-25	T	25	8		
Green Bay	24	22	.38	23	10		
Greensboro	55	43	.01	45	25		
Hartford	34	30	.61	27	15		
Honolulu	76	61		81	67		
Indianapolis	37	25	.05	34	19		
Kansas City	18	7		31	19		
Las Vegas	43	37	.31	50	34		
Lexington	44	31	.09	37	26		
Little Rock	41	29		42	30		
Los Angeles	64	60	.27	64	52		
Louisville	45	33	.09	38	25		
Memphis	42	36		39	32		
Miami, Fla.	84	71		78	68		
Midland	50	27		58	36		
Milwaukee	35	24	.54	26	14		
Montgomery	59	50	T	50	38		
Mpls St Paul	27	22	.20	23	18		
Nashville	46	38	.02	35	27		
New Orleans	59	51		52	45		
New York	39	36	.40	33	22		
Norfolk	59	45	.06	44	31		
North Platte	10	-9		29	12		
Oklahoma City	62	18		40	30		
Omaha	13	4		24	11		
Orlando	81	66		71	58		
Philadelphia	48	42	.16	33	18		
Pittsburgh	54	36	.78	32	21		
Pocatello	23	-5	.03	33	24		
Portland, Maine	30	17	.13	25	9		
Portland, Ore.	35	28		36	29		
Providence	35	33	.45	31	18		
Rapid City	5	-11	T	24	10		
Reno	36	13	.19	32	20		
Rochester NY	35	28	.64	28	18		
Sacramento	58	36	3.07	52	45		
Salt Lake City	32	11	.04	38	25		
San Antonio	55	42		63	48		
San Diego	61	59	.28	63	52		
San Francisco	60	40	2.90	55	45		
San Jose	60	45	1.43	55	46		
Santa Fe	39	15	na	43	27		
Scranton	41	37	.58	28	16		
Seattle	39	32		45	33		
Sioux Falls	21	14	.01	20	5		
Spokane	21	5		28	14		
Springfield, Ill.	30	22	.05	31	21		
St Louis	28	23		37	24		
Syracuse	36	30	.57	28	12		
Tampa-St. Pete.	79	68		71	57		
Topeka	17	6	.06	26	14		
Washington	46	41	.14	39	25		
Wilkes-Barre	41	37	.58	28	16		

World	
Beijing	30
Berlin	41
Bogota	68
Brussels	46
Caracas	86
Copenhagen	41
Dublin	41
Frankfurt	43
Geneva	57
Helsinki	36
Hong Kong	72
Karachi	na
Lima	75
London	46
Manila	8
Moscow	7
Paris	7
Riyadh	7
Rome	7
Singapore	7
Stockholm	7
Tokyo	7
Mexico	
Acapulco	8
Chetumal	8
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Guadalajara	8
La Paz	8
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Merida	8
Mexico City	8
Monterrey	8
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Calgary	8
Edmonton	8
Montreal	8
Ottawa	8
Quebec	8
Regina	8
Toronto	8
Vancouver	8
Winnipeg	8

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MESA
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966-2033

PARADISE VALLEY
32nd St. &
Greenway
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TWIN, FULL, QUEEN, KING
10 YEAR WARRANTY

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Hundreds of heat tempered coils, super soft foam.
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Choice of firmness - luxuriously soft touch or rock hard
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TWIN, FULL, QUEEN, KING
Like sleeping on a cloud - pillow top luxury.
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Can almost be up against the wall and fully reclined! Choice of colors.

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Contemporary sofa and loveseat with covers in durable, textured fabric of natural earthtone colors. These pieces feature reversible polyurethane seat cushions for longer wear. Hurry in! Supplies are limited.

MOTOROLA Portable Cellular Phone

Lightweight, Port 30# Mem Dialing Dual NAM.

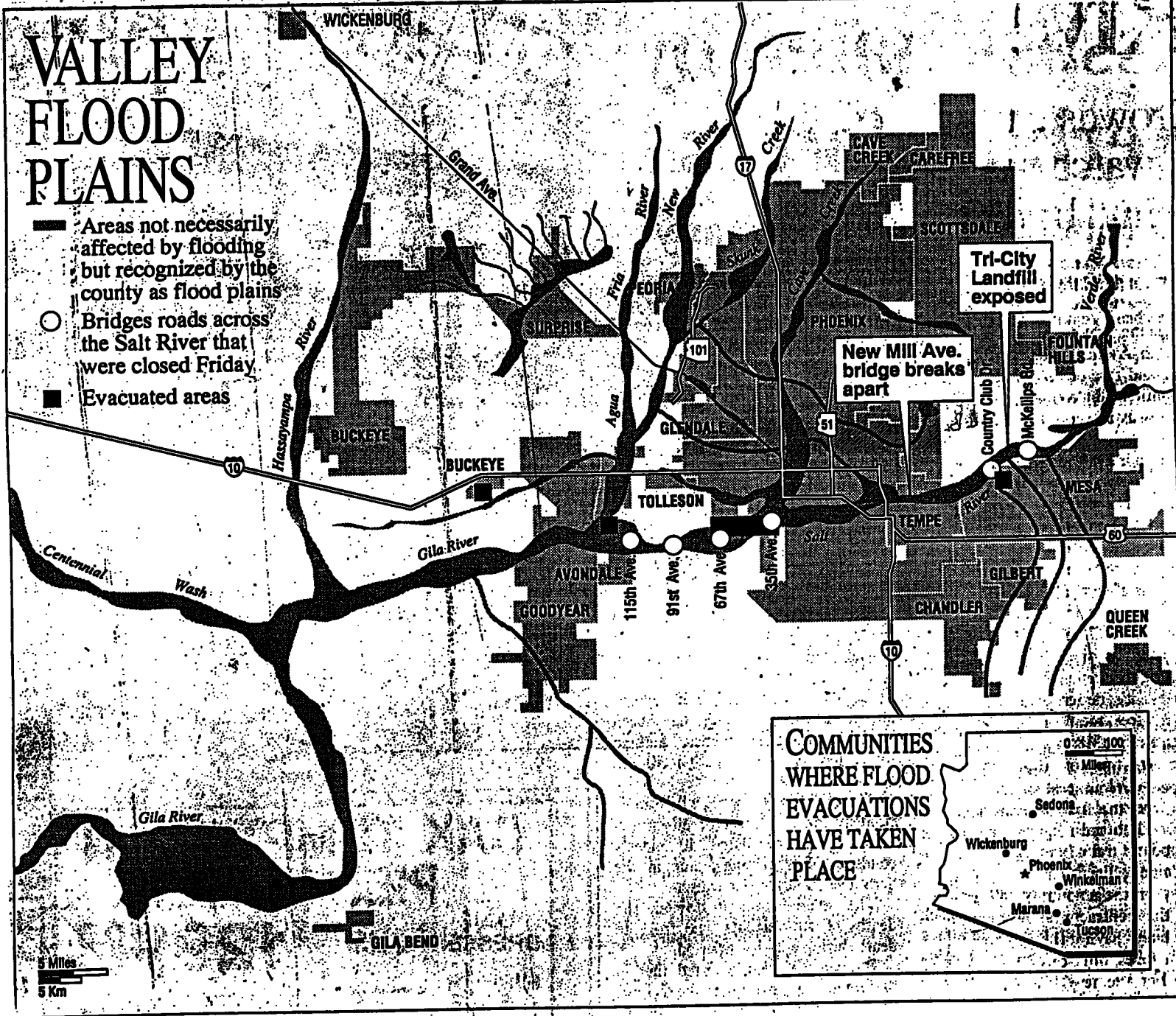
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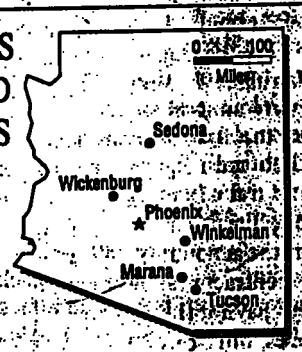
*Prices shown for cellular activation with US West's Warehouse, authorized at across fees and airtime, are \$300 higher without Warehouse.

VALLEY FLOOD PLAINS

- Areas not necessarily affected by flooding but recognized by the county as flood plains
- Bridges roads across the Salt River that were closed Friday
- Evacuated areas



COMMUNITIES WHERE FLOOD EVACUATIONS HAVE TAKEN PLACE



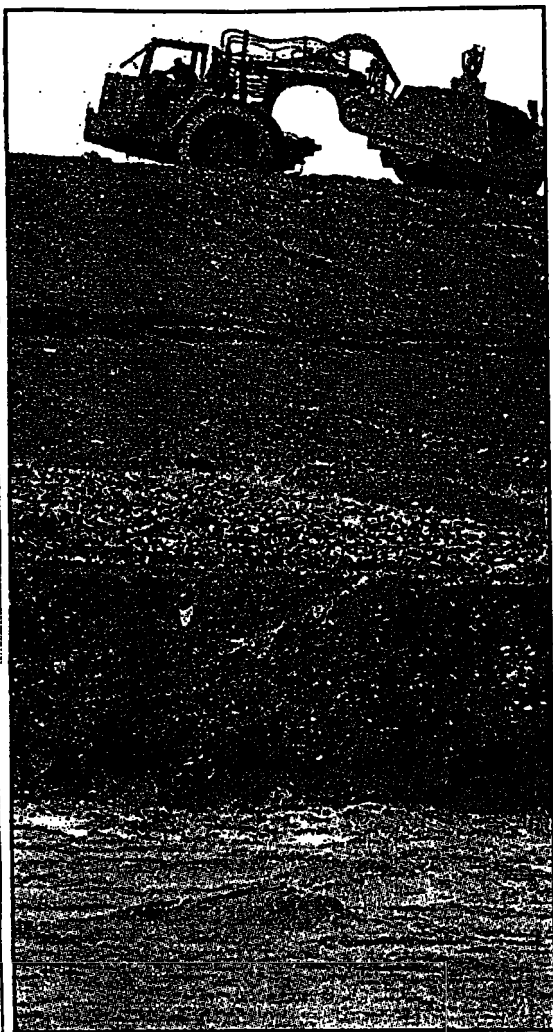
APPEARED IN MINI-CLIP

Garbage slides into Salt River

Activists had warned about Tri-City Landfill last year

By Steve Yozwiak
The Arizona Republic

1/9/93



Tom Story/The Arizona Republic

Floodwaters eating away at the landfill's banks uncover trash and wash it down the river. Efforts to hold the water at bay Friday were ineffective.

Environmentalists' fears were realized Friday when raging floodwaters breached the Tri-City Landfill north of Mesa, sending rafts of garbage flowing into the usually dry Salt River.

A year ago this week, state and federal investigators began looking into the operation of the landfill after news reports said rainwater runoff had washed debris from the dump into the Salt.

Because the dump, which has served as many as 500,000 east Valley residents, is operated by the Salt River Pima-Maricopa Indian Community, state and federal officials quickly backed off.

Officials of the state Department of Environmental Quality said they have no jurisdiction over Indian-operated landfills.

Officials at the U.S. Environmental Protection Agency said they are unsure of their jurisdictional responsibilities on Indian reservations.

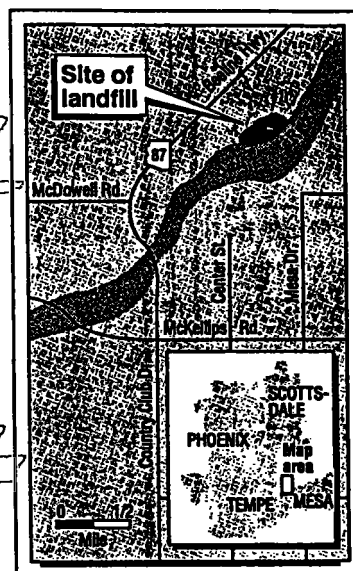
If the landfill, near McDowell Road and the Beeline Highway, was not on Indian land, officials said, it would have been closed long ago because it lies in a floodplain and is unlined.

For years, environmentalists and state officials have worried about contaminants from the landfill seeping into underground drinking-water aquifers. But the tribe has operated the landfill along the river's banks in much the same way since it opened in the early 1970s.

Tribal officials repeatedly denied last year that the landfill was being eroded. They maintained that the trash came from illegal dumping upstream, despite witness reports and an Arizona Republic canoe expedition that documented garbage from the landfill making its way into the river.

On Friday, there was no doubt. "It is beginning to erode," said Frank Mertely, manager of the Indian community.

Mertely said dozens of truckloads of large boulders that the tribe began dumping on the banks



Gus Walker/The Arizona Republic

of the landfill were not enough to hold off the rapidly rising river.

"It's sickening," said Mary Jensen, co-chairwoman of Legacy of the Southwest, a southeast Valley environmental group, after watching garbage break away from the banks of the landfill and float down the river.

"I think it will be even more shocking when the river starts to recede," Jensen said. "The Tri-City Landfill garbage is going to wind up in Buckeye."

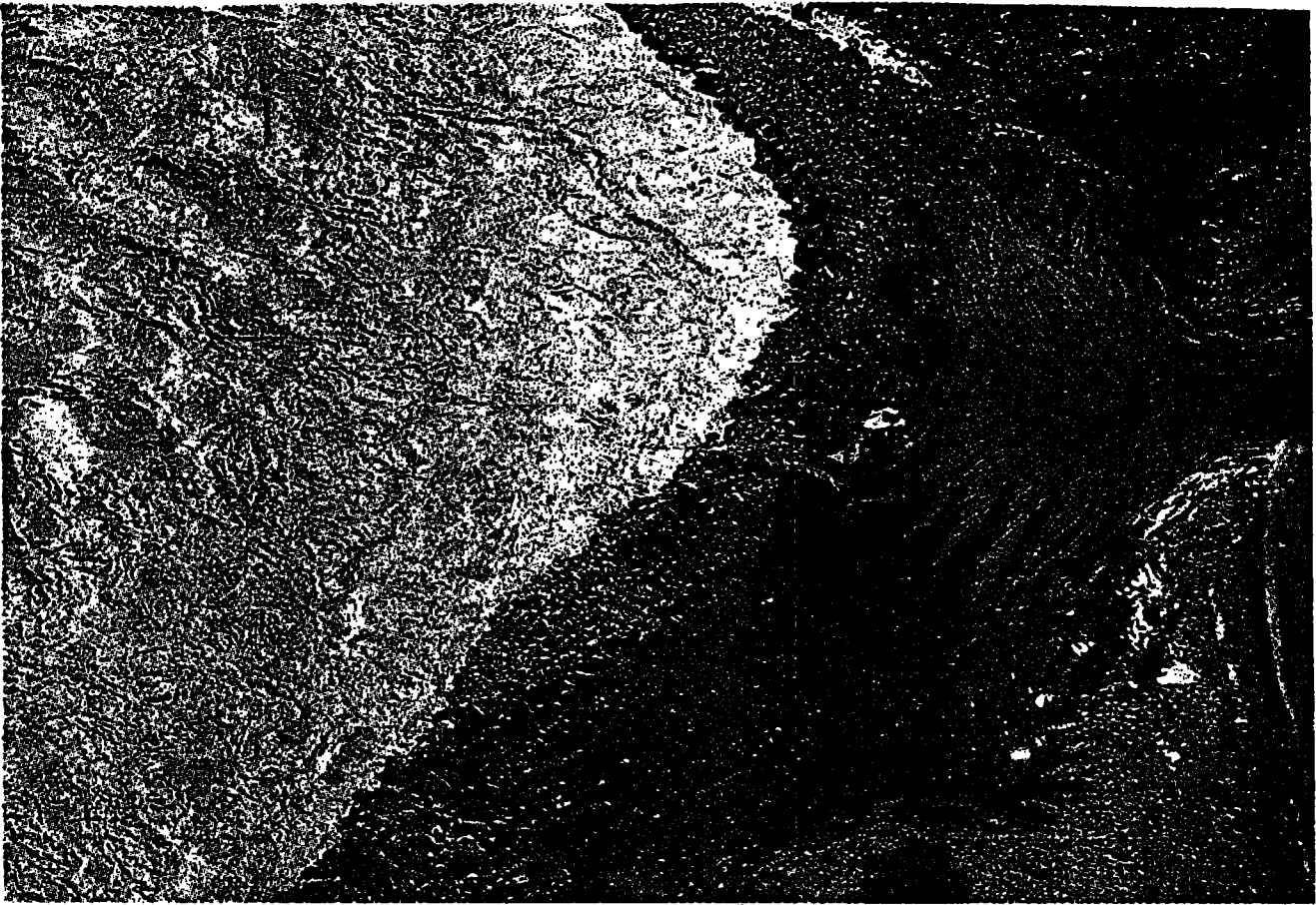
Scottsdale and Mesa officials, as well as the tribe, should be responsible for any cleanup because those cities continued to ship their garbage there even after the landfill's problems were reported, Jensen said.

Ray Garrison, Scottsdale's assistant city manager, said his city will haul commercial waste collected this week-end to a county landfill. Scottsdale officials on Monday will decide whether to abandon use of Tri-City, he said.

Garrison said Scottsdale continued to use Tri-City because city officials believed that fortifications placed there last year by the Army Corps of Engineers would ensure that the landfill would hold up.

But those fortifications also were no match for Friday's floods.

City Manager Charles Luster said Mesa will continue using Tri-City.



Michael Ging/The Arizona Republic

At the Tri-City Landfill, a bulldozer attempts to shore up the landfill's banks, which were being eroded Friday by the Salt River.

"I don't know that our hauling municipal waste there has anything to do with that (erosion)," Luster said.

Jensen praised Tempe officials for deciding last year to withdraw from Tri-City and send their garbage to a private landfill south of Phoenix that meets all new federal specifications.

On Oct. 1, a federal law will take effect requiring all municipal landfills to be lined and out of floodplains. That law also specifically gives the EPA jurisdiction over landfills on Indian reservations.

DEQ Director Ed Fox said Friday that tribal officials have said they will close Tri-City and open another landfill outside the floodplain, one that meets federal specifications.

But Mertely said federal funds needed for that have not been received.

Fox, in a letter sent Thursday to the EPA and the Army Corps of Engineers, said he is concerned about the slow federal action.

"This environmental threat, is at least 10 years old, and further delay cannot be accepted," Fox said, adding that the state is looking into what legal actions it can take.

Environmentalists said Friday that they do not believe that the tribe will meet the deadline for closing the landfill, that the tribe and city officials simply are "stalling," and that the state is acting too late.

Steve Brittle, president of Don't Waste Arizona, said he has exhausted negotiations between his environmental group and the tribe and cities, and is preparing to seek a court-ordered injunction that would close the Tri-City Landfill immediately.

"They (local, state and federal officials) always, for political reasons, have backed off. It shows how irresponsible everyone is," Brittle said.

"It's obvious that things are going to get worse."

APPEARED IN MINI-CLOS

Tucson, Friday, February 5, 1993

Landfill mess from flood may linger

**Water, financing slow
cleanup in Salt River**

PHOENIX (AP) — Officials are estimating that it will take months to remove truckloads of garbage that spilled into the Salt River last month during the erosion of a landfill east of Phoenix.

Salt River Project officials say cleanup won't start for weeks and is hampered by water that continues to run in the river.

"(Cleanup) definitely is proceeding at a very slow pace, at least as far as getting written, enforceable commitments of money," said Jim Lemmon, an environmental consultant.

State and federal officials say cleanup should start as soon as agreements can be reached among the various jurisdictions and the Salt River Pima-Maricopa Indian Community, which runs the landfill.

Meanwhile, Sue Grace, R-Phoenix, chairwoman of the House Environment Committee, said she expects to push a measure through her committee that would prohibit additional dumping at the landfill.

That would allow Ed Fox, director of the state Department of Environmental Quality, to determine liability for the cleanup and give enforcement powers to the attorney general for those who fail to comply.

Meanwhile, Gov. Fife Symington said he has filed a formal petition with the Federal Emergency Management Agency calling on the federal government to pay to clean up the river.

Since Arizona officials cannot regulate the landfill because it is on Indian land, state taxpayers should not have to pay for the cleanup, Symington said.

Flood tied to dump's latest woe

By Gail Tabor
The Arizona Republic

2-8-93
The Tri-City Landfill, target of a river's wrath and environmentalists' rage, is battling a new problem — fire.

Initial reports Saturday said the fire was underground, but Frank Mertely, manager at the Salt River Pima-Maricopa Indian Community, which operates the landfill, said Sunday that the blaze actually is on the edge of an area exposed by floodwaters last month.

"This was probably spontaneous combustion after some little spark got oxygen and wind," Mertely said.

The fire's location is hindering efforts by tribal firefighters to extinguish the blaze. There is water between the burning area and an 800-foot-long dike, preventing machinery from reaching the fire, Mertely said. The dike was

constructed to prevent further erosion.

Firefighters cannot reach the blaze from above because an overhang could collapse, possibly taking bulldozers and workers down with it.

"Right now (Sunday), we're looking at the best way to handle it," Mertely said.

The blaze will be extinguished today at the earliest, Mertely said, although firefighters had it under control Sunday. Two firefighters became ill from smoke inhalation Saturday night but were not injured seriously, he said.

During January's flooding, rampaging waters in the usually dry Salt River tore chunks out of the landfill and reportedly washed thousands of tons of garbage as far as 90 miles downstream.

As the landfill eroded, pockets of methane gas were exposed, resulting in fires and

cannonlike explosions. The gas is formed by decomposing garbage.

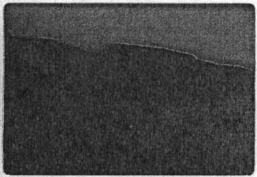
Environmentalists long have been critical of the landfill. They say it not only is vulnerable to floods, but possibly is a health hazard because it is believed that hazardous wastes were dumped there in the 1970s, when such dumping was legal.

On Jan. 12, a suit was filed in U.S. District Court in Phoenix, asking that the Indian Community and the cities of Mesa, Scottsdale and Tempe pay for cleanup of the garbage and also pay for permanently sealing portions of the landfill exposed to flood erosion.

The tribe plans to close the landfill, which accounts for 60 percent of its revenue, in October. It will be replaced with a dump far from the river.

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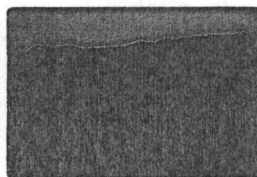
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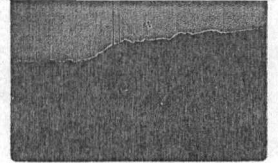
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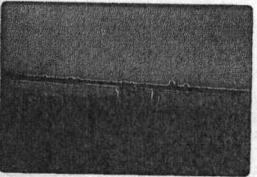
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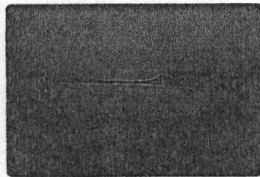
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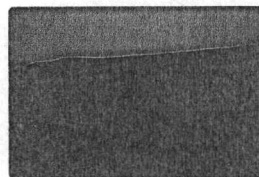
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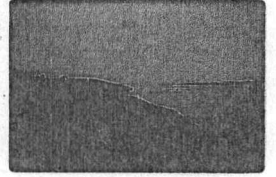
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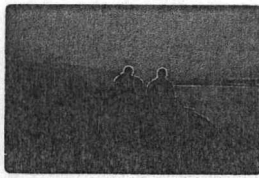
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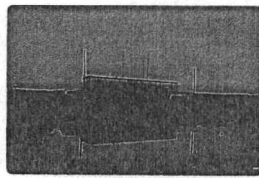
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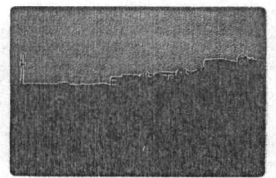
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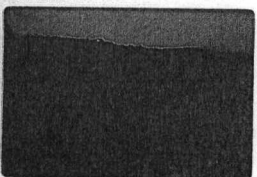
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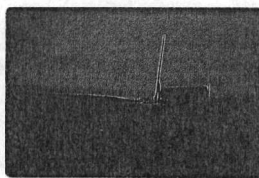
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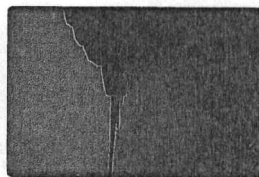
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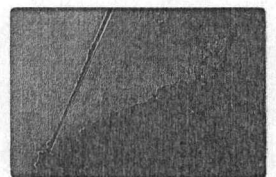
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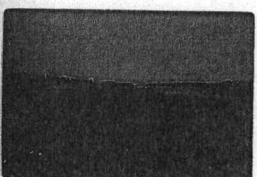
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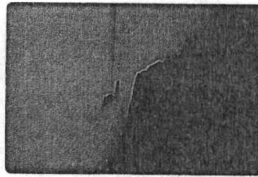
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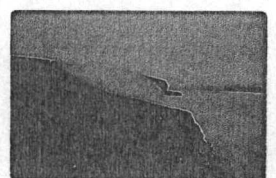
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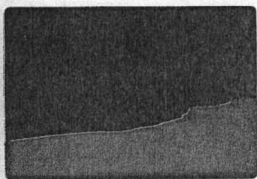
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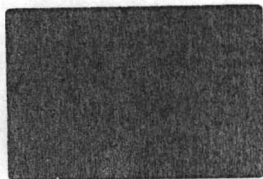
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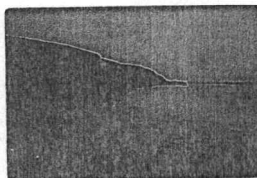
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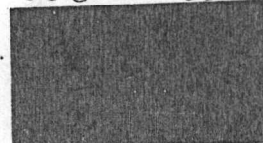
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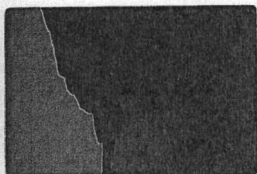
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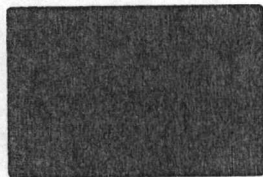
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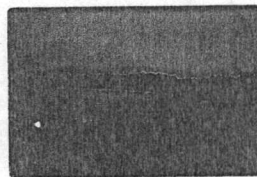
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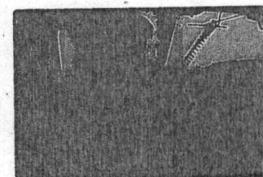
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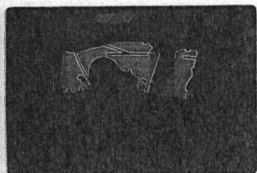
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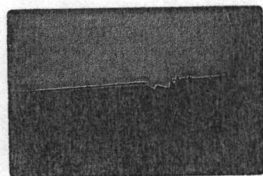
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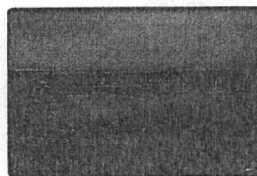
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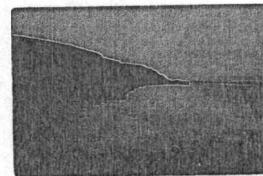
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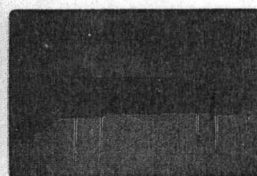
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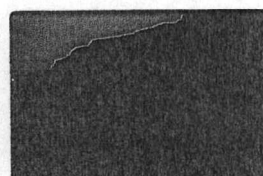
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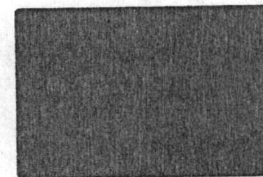
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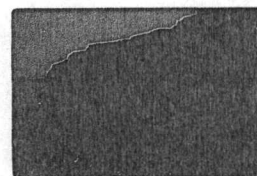
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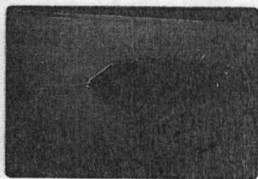
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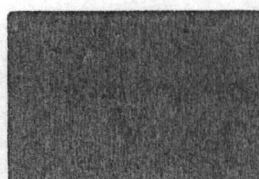
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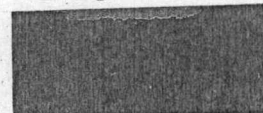
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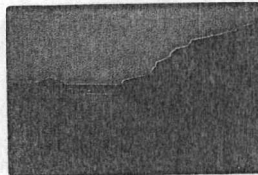
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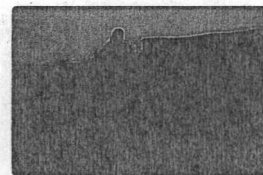
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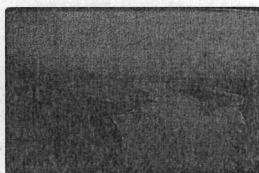
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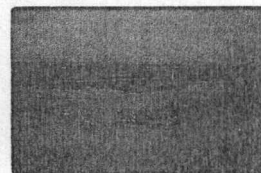
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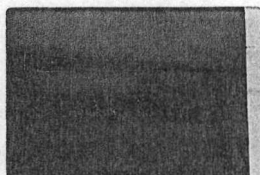
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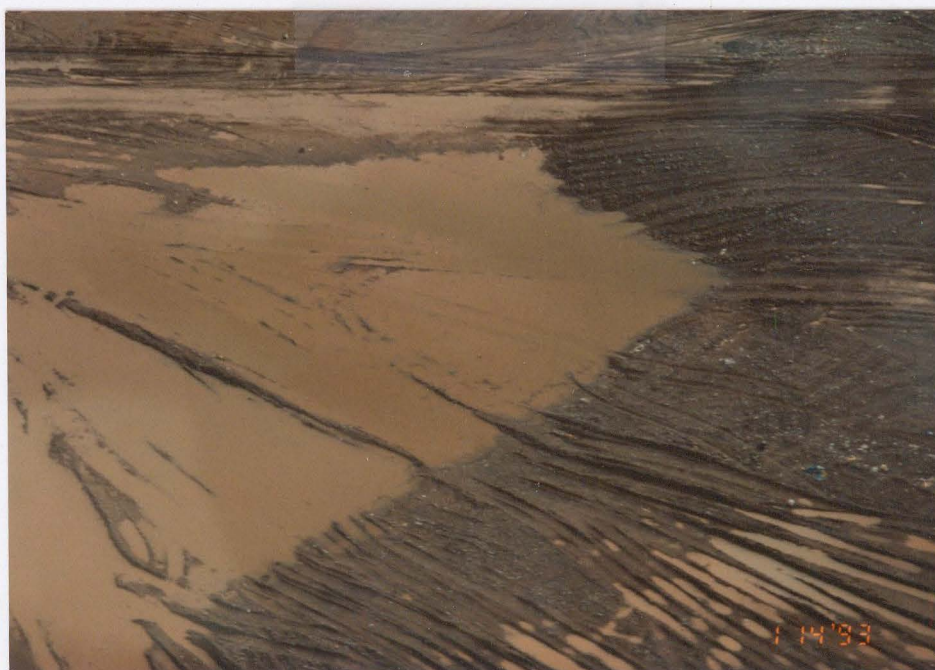


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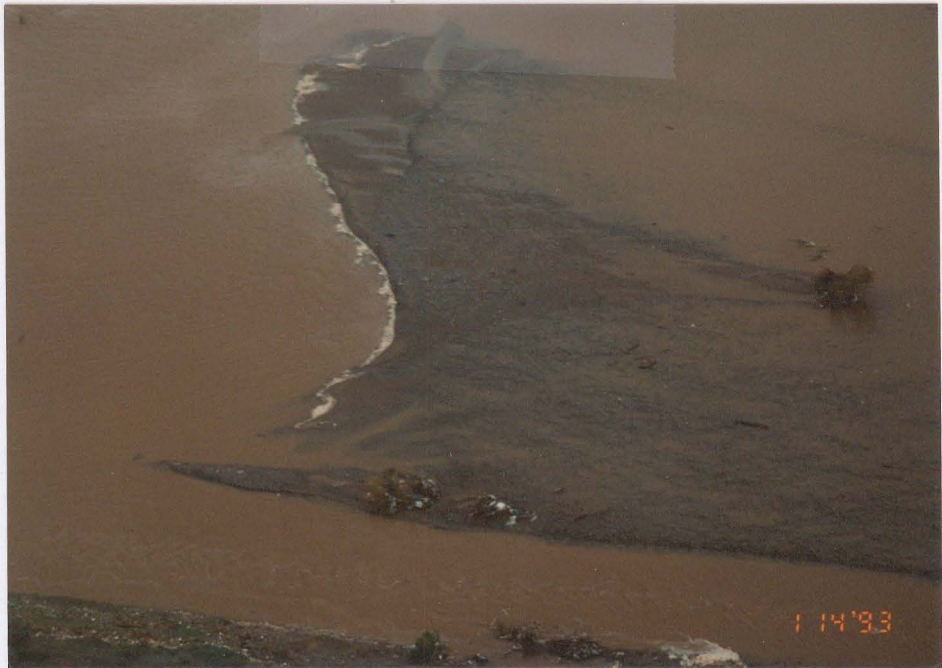


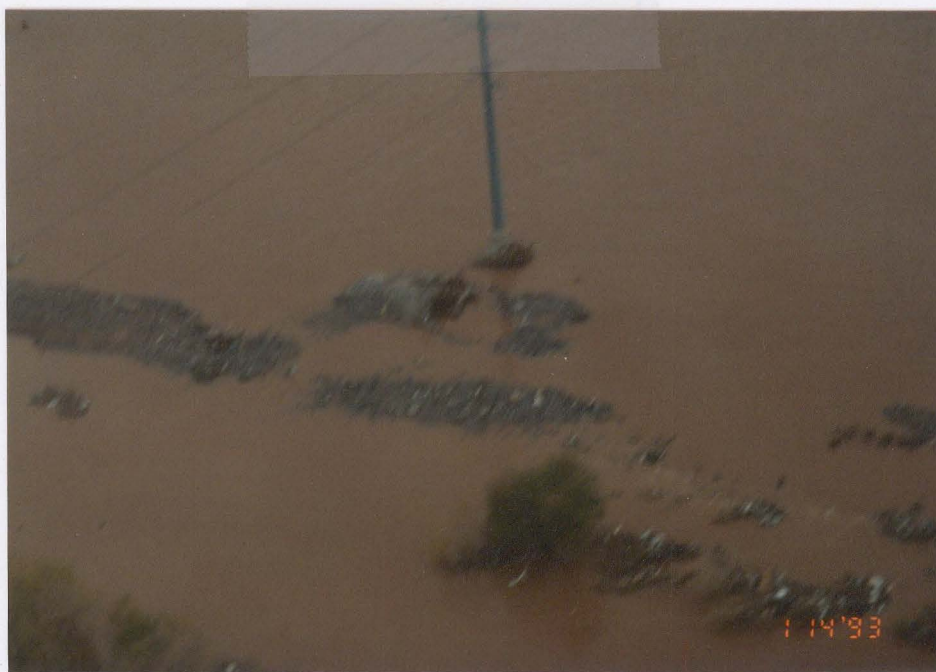








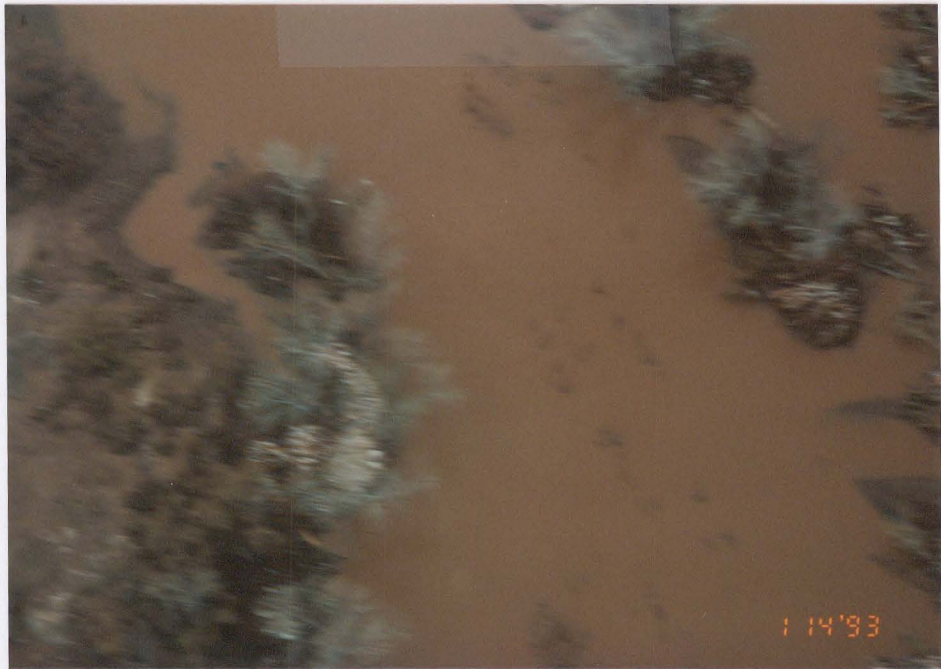








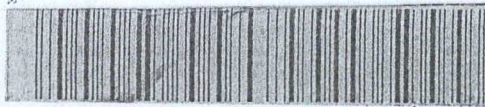








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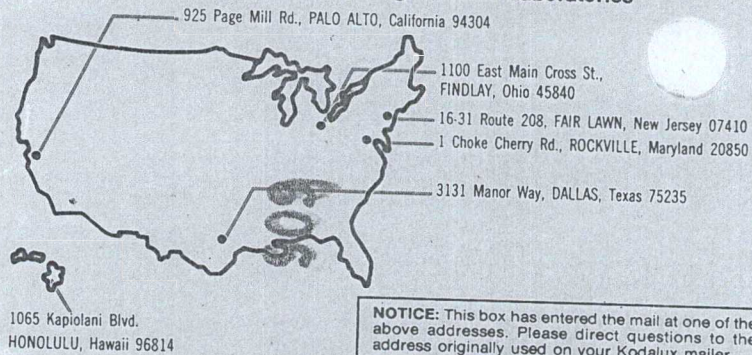
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